

**INFORMATIONAL MEMORANDUM**

**TO:** Agency Commissioners  
**FROM:** Fred Blackwell, Executive Director  
**SUBJECT:** Media Clippings from 7.15.10 to 7.27.10

Enclosed is a collection of newspaper and media clippings that refer to the Redevelopment Agency or an Agency-related project or program.

(Originated by Gia Casteel-Brown, Executive Assistant)



Fred Blackwell  
Executive Director

**SOMA & TRANSBAY:**

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- Attachment 3: sfexaminer.com: "SoMa residents lead charge against dangerous crossing," July 26, 2010
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**REDEVELOPMENT:**

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**BAYVIEW HUNTERS POINT; HUNTERS POINT SHIPYARD; VISITACION VALLEY:**

Attachment 10: **SFGate.com**: "Hunters Point shipyard plan wins key approval," July 15, 2010

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Attachment 19: **SFBG:San Francisco Bay Guardian online**: "The bridge isn't the only problem with Lennar's plan," July 26, 2010

Attachment 20: **SFBG:San Francisco Bay Guardian online**: "Lennar's plan illustrates San Francisco's redevelopment problem," July 26, 2010

Attachment 21: City Hall Press Release: "Mayor Gavin Newsom hails approval of Hunters Point Shipyard – Candlestick Point Redevelopment Project", July 27, 2010

San Francisco Business Times - July 19, 2010  
[/sanfrancisco/stories/2010/07/19/story9.html](http://sanfrancisco/stories/2010/07/19/story9.html)

Attachment 1

# SAN FRANCISCO Business Times

Friday, July 16, 2010

## Pauls scoops up SoMa condo site

Stalled construction to resume

San Francisco Business Times - by [J.K. Dineen](#)

The Pauls Corp. has bought the stalled 51-unit condominium project at One Ecker Place in downtown San Francisco for \$14 million and will spend \$5 million more to finish construction and bring the units to market.

The acquisition comes two years after the previous development group, a joint venture led by Shimon Kabili, went into default on the mortgage. The previous owners had spent \$13 million to buy the brick historic 1906 ice house and borrowed another \$15 million to convert it to loft-style condos. Construction was about 70 percent complete when the lender, **Amalgamated Bank**, foreclosed on the property in 2009.

Pauls Corp. President Paul Powers said he was drawn to the modest size of the project, as well as its brick and beam architecture, high ceilings and location right off of First Street. More than 20 developers chased the broken deal, with **Lowe Enterprises**, **Carmel Partners** and the **Emerald Fund** all taking a run at it.

"There was a spirited competition for it," said Powers.

**The Pauls Co.**, is a Denver-based builder responsible for the 105-unit 88 South Broadway in Millbrae. It is also the group behind Peninsula Park in Redwood City, a controversial waterfront project that could also be under construction in the fall. The company develops throughout the Midwest, West Coast and Texas.

The acquisition of One Ecker Place comes as builders are worried that the fledging recovery could be stalled by the end of government-backed tax credits for home buyers, as well as continued jitters in the overall economy.

"There is no question there was a pause all around the country in May and June, but we are seeing some resurgence in July," said Powers.

But Powers, a former Colorado state senator, said buyers will ultimately take advantage of low mortgage rates.

"The mortgage rates are the great driver (for buyers)," said Powers. "No matter what the market is like, we always seem to do well when mortgage rates are low."

At One Ecker, the Pauls Corp. will upgrade the hardware fixtures, floor coverings and appliances. The building's common areas — lobby, courtyard and shared roof decks — are also getting a more extensive landscaping. The design is by BDE Architecture's Jonathan Ennis.



Spencer Brown

"No matter what the market is like, we always do well when mortgage rates are low," says Powers.

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“It will be over the top — we will have a roof deck we think will be an award winner,” said Powers.

Palisade Builders, an offshoot of Douglas Ross Construction, will finish construction. Polaris Group will market the condos. Pricing will be in the \$650 a-square-foot range, with the largest two-bedroom corner units priced about \$800,000. Condo dues will range from \$350-\$600 a month. There is no parking.

Polaris Group Partner Chris Foley said the combination of new construction and historic materials will appeal to buyers.

“You have a cool little building right in the middle of downtown that is brick and timber,” said Foley.



***J.K. Dineen*** covers real estate for the ***San Francisco Business Times***.

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Read his blog postings at ***Bay Area BizTalk***.

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## LOCAL NEWS

# Chain store targets '12 opening

Target officials host meeting on plans for two SF locations

By Katie Worth  
Examiner Staff Writer

San Francisco shoppers could be strolling the aisles of two Target stores in The City by spring 2012.

Wednesday night was the first time officials from the retail store chain talked openly about their hopes to open two stores in San Francisco, one at a former Mervyns site at Geary Boulevard and Masonic Avenue and the second at the Metreon in the South of Market area.

The Minneapolis-based corporation has more than 1,700 stores nationwide, including locations in Daly City and Colma, which are the closest sites for San Franciscans to purchase the chain's

household items such as beauty and health products, appliances, home furnishings, clothes and pet supplies.

The stores in San Francisco are part of a nationwide plan to open more urban locations. This week, the company opened a site in Manhattan, N.Y., according to a company official.

Target architect Thom Lasley presented preliminary plans for the Mervyns site — which could feature wind turbines and “warm”-colored screens on the exterior — during a community meeting Wednesday hosted inside the Mervyns building the company aims to occupy.

The plan is to take up two floors of the site, covering 100,000 square feet. The store would offer electronics, apparel and home goods on the bottom floor, with an expanded grocery selection



Shopping trek: San Francisco residents who want to shop at Target currently have to go to Daly City or Colma.

and pharmacy on the second floor, according to store officials.

Few details were revealed about the plans for the Metreon during the meeting with approximately 150 people, but Target Regional Development Manager John Dewes said the two locations would employ between 400 and 500 people.

Supervisor Michela Alioto-Pier, whose district includes the Masonic Avenue location, previously told The Examiner that a Target store could be beneficial to the economy.

“People are very excited about it,” Alioto-Pier has said. “They’re creating tons of jobs. Construction jobs. Long-term jobs.”

She said Target will boost The City’s sales tax revenue — money that other cities are currently receiving from San Francisco shoppers.

The Target stores could still face hurdles, as the plans, including special approval for chain stores, still need to receive stamps of approval

from city agencies. Company officials said they have yet to apply for the needed permits, but are looking to secure them by the end of the year and begin construction in early 2011.

While San Francisco has been historically resistant to retail chains, residents are supporting Target “so they don’t have to go all the way down to Serramonte Center” to shop at the store, Supervisor Eric Mar, who represents the Richmond district, previously told The Examiner.

Other concerns, including traffic, were raised by nearby residents. Jennifer Soloway, who lives on nearby Ewing Terrace, worried that without some traffic strategy, a Target would make her commute even worse that it is currently.

“We are thrilled to have a Target ... but I think it is going to be a driving destination. Right now, it’s practically impossible for me to get out of Ewing Terrace onto Masonic.”

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## I-580 SHOOTOUT Suspect faces more charges

OAKLAND — A Groveland man faces two additional charges in connection with a shootout with CHP officers on Interstate 580 early Sunday.

Byron Williams, 45, was apparently headed to kill people at two nonprofits in San Francisco when officers made a traffic stop on his Toyota Tundra at 11:57 p.m. Saturday. A 12-minute shootout ensued.

Williams was already charged with four counts of attempted murder of a peace officer and being a felon in possession of a firearm and ammunition. He received enhancements for wearing body armor.

On Wednesday, two additional felony charges — being a felon in possession of a firearm — were added due to two other guns found. — Bay City News

## THE 3-MINUTE INTERVIEW

### Kirsten Cherry

The vice president of communications for Special Olympics Northern California speaks about Saturday’s Over the Edge fundraiser. More than 100 people will rappel 38 stories from the rooftop of the Grand Hyatt at Union Square to raise money for Special Olympics athletes.



**Why are you doing this?** This is a very unique fundraiser. With the current economy, we are always looking for new and interesting ways to get people involved. This is an opportunity for us to introduce Special Olympics to a different audience and give them a chance to meet the athletes.

**How will this benefit Special Olympics?** We are hoping to raise \$150,000 gross; each rappeller raised a minimum of \$1,000. All funds will go directly to the athletes, allowing almost 14,000 to continue to receive free training and competition opportunities. This is a significant fundraiser for us, as it costs \$500 to provide one athlete with three sports. Through this we can help so many athletes overcome their challenges.

**Who’s involved?** One of our athletes, Tony Massa, will be rappelling. We have all types of people participating: coaches, community members, parents of athletes, police chiefs, the general manager of the Grand Hyatt, media personalities from KTVU and KFOG, as well as Donna Sachet.

— Sarah Haughey

# Supervisor’s term-limit fate may be decided today

By Joshua Sabatini  
Examiner Staff Writer

The legal battle that will settle whether Supervisor Michela Alioto-Pier can seek re-election heads to San Francisco Superior Court today.

More than two years ago, City Attorney Dennis Herrera issued an opinion that the District 2 supervisor is termed out of office under a provision in the City Charter. But she has refuted that opinion, and on June 17 she filed a lawsuit to overturn it.

The outcome of the case will come as campaigns for the race in District 2 — which covers the Marina district, the northern waterfront and the Presidio, among other areas — are in full swing for the November election. Contenders like Janet Reilly, who has picked up key endorsements, and Mark Farrell have each received more than \$140,000 in campaign contributions as of June 29, according to filings

## History of dispute

How events surrounding Michela Alioto-Pier’s tenure as District 2 supervisor unfolded:

**January 2004:** Appointed to District 2 seat by Mayor Gavin Newsom on Jan. 26

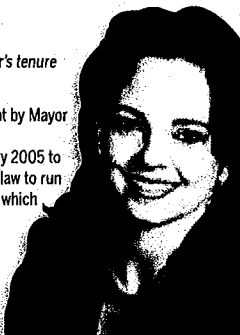
**November 2004:** Wins election for January 2005 to January 2007 term after being required by law to run

**November 2006:** Elected to current term, which runs from January 2007 to January 2011

**November 2010:** District 2 seat up for election

**January 2011:** Current term ends

Source: Board of Supervisors



EXAMINER FILE PHOTO

with The City.

The legal arguments about the dispute are scheduled to go before Superior Court Judge Peter Busch this morning, and he could make a decision as early as today. Busch issued a tentative ruling Wednesday that did not indicate which way he was leaning, but he requested the

parties come prepared to discuss a term-limit scenario not covered in either party’s legal filing.

Mayor Gavin Newsom appointed Alioto-Pier in January 2004 to fill the District 2 seat he vacated when he won the mayoral election. Alioto-Pier was required to run for election in November 2004 and served the

remainder of what would have been Newsom’s complete four-year term, ending in January 2007. She was re-elected to what Alioto-Pier is calling her first four-year term, but what Herrera said is her second four-year term.

Herrera issued his opinion in a 2008 memo that said someone who’s appointed and serves more than two years of a four-year term will be considered to have served a four-year term “whether they stand for election during that period.”

In a legal filing, Alioto-Pier argued that she was appointed to serve “less than one year and then elected to serve two years, which is not “the same as being ‘appointed ... to complete in excess of two years.’ The City Attorney is wrong on the math and the language.”

Alioto-Pier “cannot gain another term in office by sweeping away the voters’ words or ignoring their intent,” Herrera said in his argument.

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## LOCAL NEWS

## Deal may nix Muni reform

**Mayor, supe working to avoid ballot box**

By Erin Sherbert  
Examiner Staff Writer

A Muni reform measure may come in the form of a compromise instead of being decided by voters.

Board of Supervisors President David Chiu had introduced a City Charter amendment that would, among other things, strip the mayor of sole power to appoint members of the San Francisco Municipal Transportation Agency's board of directors.

Chiu, however, said he would consider abandoning the amendment if he and Mayor Gavin Newsom could agree on a reform package before Tuesday's vote on the legislation that would streamline the transit agency and ensure there's enough funding in reserve to offset potential future service cuts.

The supervisor and the mayor held closed-door meetings last week in an attempt to put together a deal that would pave the way for an even more comprehensive Muni reform down the road, Chiu said.

"We certainly are going to need to have some agreement that we can stand up together that would

constitute immediate MTA reforms," he said.

Newsom said he was certain that he could find a way to address all of Chiu's concerns without having to go to voters with a charter amendment.

As far as the details of the Muni reform effort, both Chiu and the Newsom remained tight-lipped about talks.

The discussions have been taking place as the mayor is "actively considering" candidates to fill the last seat on the SFMTA board, and supervisors are keeping close tabs on who the mayor will name, staffers said.

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## SoMa residents lead charge against dangerous crossings

By Andrea Koskey  
Examiner Staff Writer

When Katy Liddell approaches the South of Market area intersection of Folsom and Main streets, she purposely avoids crossing Main from the north side of Folsom because of the danger for pedestrians.

That hazard has now been increased, she said, with the addition of a second left-turn lane from Folsom onto Main.

"It's a really bad idea," she said. Liddell said the main issue is that when a pedestrian is crossing there, they have to constantly look over their shoulder to see if a car is coming from Folsom Street, even though cars are supposed to yield.

"But it doesn't always happen," she said. "People speed around that corner."

Liddell, a resident of SoMa for the past 15 years and a board member of pedestrian advocacy group Walk San Francisco, said the entire neighborhood presents pedestrian-safety issues. She said an accident involving a pedestrian happens almost every week. There

was even a death in December 2004.

San Francisco Municipal Transportation Agency spokesman Paul Rose said the second left-turn lane is not new. He said the lane existed before the construction of the temporary Transbay Terminal, which is located at Howard and Main streets. The lane was repainted recently.

The temporary terminal will be used for the next seven years.

Rose said the SFMTA is working to alleviate the concerns of neighbors and come up with a solution.

"We're absolutely aware of pedestrian safety in any project," he said. "Because this temporary Transbay, changes are new, we're continuously making adjustments."

Jamie Whitaker, president of the Rincon Hill Neighborhood Association, said he plans to bring the issue to the next board meeting in August.

"The main appeal for people to move here is to be able to walk to work," he said. "This puts pedestrians in danger."

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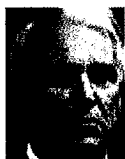
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# LOCAL NEWS

## NEWSMAKERS

### GEORGE GASCÓN

The police chief is asking his former department to provide training for his internal affairs unit. A former Los Angeles police officer, Gascón announced at the last Police Commission hearing that he's seeking ways to improve the SFPD's ability to investigate cases involving its own officers, how to evaluate and adjudicate the evidence, and which questions to ask.



### MICHELA ALIOTO-PIER

The District 2 supervisor's proposal to change oversight of city parking lots from the Fire Department to the Police Department will go to the Board of Supervisors on Tuesday. Alioto-Pier's legislation would call for background checks on lot operators and criminal histories of employees in order to obtain business permits.



### CAROL KINGSLEY

The former chair of the Ethics Commission could become a member of the Police Commission as soon as Tuesday. Kingsley is an attorney mediator who specializes in business disputes and real estate construction and estate-trust conflicts. She was appointed to the Police Commission by Mayor Gavin Newsom and could be approved by supervisors Tuesday.



### BELIEVE IT

## Ripley's marks reopening

The Ripley's Believe It or Not! San Francisco Odditorium will celebrate a \$5 million face-lift today.

The popular Fisherman's Wharf attraction since 1967 reopened earlier this month. Among the celebrities who will attend today's ribbon-cutting ceremony are astronaut Buzz Aldrin and former Mayor Willie Brown. More than 70 new interactive exhibits have been added, bringing the total to 300 in 18 themed galleries. Eighty percent of the exhibits are new.

The museum will be closed from 3 to 9 p.m. for a private celebration. — Staff report



Inside out: With tenants such as the PlayStation store, below, leaving the Metreon, its owners are looking to a new formula to make the building successful and attractive.

# New mission for Metreon

## Downtown building has struggled to retain tenants, find a niche

By Katie Worth  
Examiner Staff Writer

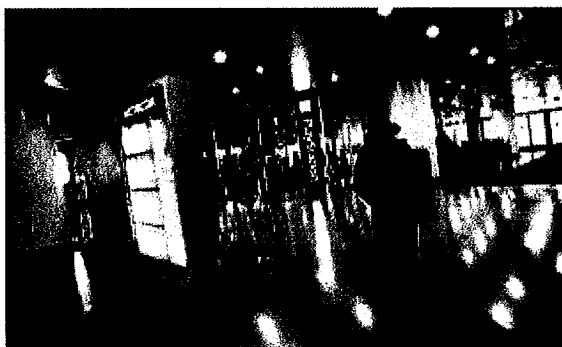
The Metreon doesn't count among the South of Market area's ubiquitous short-term residential hotels, but you wouldn't know that by the tenant turnover there.

From its trumpeted opening more than a decade ago as a theme park-style haven for gamers to an unfulfilled plan to house a famous New York City restaurant, the Metreon's owners have struggled to find the right formula to make the building successful and attract long-term tenants.

Both city officials and the current owners are hoping their latest equation, one that will turn the hermetic first floor inside out and add a Target retail store to the second floor, will finally add up to a winner.

According to Target lead project architect Thom Lasley, the vision is for the big-box retailer to take over the second floor of the building and a large chunk of the first floor. The corner of the building at Fourth and Mission streets will turn into a glassy entrance lobby for Target, with a cafe that looks out through large windows and escalators that take customers to the store above.

Though the building itself doesn't



have any parking, Target is considering creating "guest-assisted" loading zones in pullout lanes immediately next to the sidewalk, said John Dewes, Target regional development manager. The chain store has implemented similar measures in other urban areas, he said.

Target's plans aren't the end of the building's transformation.

Owner Westfield Group plans to redesign the ground floor so most of the individual stores along Fourth Street and Mission Street have entrances directly from the sidewalk, according to San Francisco Redevelopment Agency Executive Director Fred Blackwell. As it stands, customers must enter the building to access most of the ground-floor stores.

The main entrance to non-Target parts of the Metreon, including

theaters on the third floor and the food court inside, will likely be on Fourth Street, Blackwell said.

"We also want to really take advantage of the back side, where you have the [Yerba Buena Gardens]," he said, "[and] integrate what's happening in the building with what's going on inside the building, so you have a better view from the gardens as to what's going on inside. Right now, the spaces don't really sync well."

Westfield also plans to "highlight the food court [and] make that a much more attractive place for people who want to explore the food options there," Blackwell said.

The building's only successful long-term tenant, AMC Loews theater, will remain in its third-floor location, he said. There are still no plans for what may occupy the

## What's in the Metreon

Once anchored by the Sony store, the largest tenant now in the Mission Street building is a movie theater.

- AMC Loews Metreon 16
- Chronicle Books
- NYS Collections
- Point Break Live SF
- Robert Cameron's Aerial Photography
- TILT

Source: Westfield Group

fourth floor.

"The fourth floor of the Metreon is a tough space to fill. It's not at street level and it's pretty big, so any restaurant would have to be on the level of Tavern on the Green to be successful there," Blackwell said, referring to the Manhattan restaurant that announced plans to move into the space last year but then declared bankruptcy.

Target announced its intentions to move into the Metreon, along with the vacant Mervyns store at Geary Boulevard and Masonic Avenue, at a community meeting held at the Mervyns site last week.

Dewes said the company doesn't intend to hold a similar neighborhood meeting for the Metreon location because it's not required by the Redevelopment Agency.

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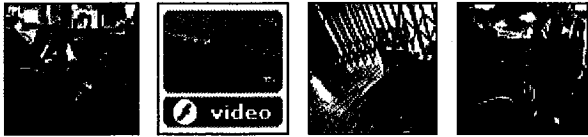




**SFGate.com****Longtime denizens resist call to leave terminal**

Kevin Fagan, Chronicle Staff Writer

Monday, July 19, 2010



Seven years from now, the downtown Transbay Terminal will be a gleaming, glass-walled showpiece of transit glory, drawing travelers from all over to its ultramodern train and bus stations.

At the moment, though, it is a decaying pit of despair for the homeless hordes who have used it as shelter for decades. For them, life is about to become complicated.

The 1939-vintage terminal will be closed for demolition, to make way for construction of the new showpiece, at one minute after midnight on Aug. 7. The complex at First and Mission streets is to be cleared of all people - which, at that hour, will mean dozens who are still clinging to vain hopes that they can keep sleeping in the hulking terminal despite daily warnings that the wrecking ball is on its way.

Among them is the gray-bearded Cat Man, who mumbles angrily as he strides around the terminal all day with a huge orange cat on his shoulder. He sleeps with the cat in a coffin-size cardboard box and rebuffs all offers of help with "Go away!"

Also facing eviction is Olawaye Fabunmi, 55, who sits all night against the concrete terminal wall with his head and shoulders covered by a beige blanket that is as tattered as his clothes. He refuses all help, even dollar donations.

"I have a plan, I have a direct marketing advertising company that I run, and I am just waiting for the right business opportunity to market new things," Fabunmi said the other night before covering his head with the blanket again.

**Land of the lost**

Jason Albertson, leader of the city Homeless Outreach Team working to clear the terminal, said getting the crowd of homeless men and women out before demolition day and into services or housing is one of the most daunting tasks he's ever faced.

He said the city hasn't had to relocate an encampment of this size and complexity since authorities evicted more than 50 people out of an encampment at Evans Avenue and Third Street dubbed "Land of the Lost" in 1997.

"It's comparable in terms of having a whole lot of people with a whole lot of issues with a deadline," Albertson said. "Some folks have been here as long as 20 years. They've made it their home, and now we have to tell them it's not their home anymore. That isn't easy."

**Large population**

There are as many as 140 homeless people sprawled every night across the ancient wooden benches inside the terminal or in dozens of tents alongside the outside walls. About 35 of those are so mentally ill or physically disabled they need special medical care, Albertson said, making them harder to relocate.

The main help Albertson and his crew can offer consists of temporary hotel rooms or shelter beds, plus the promise of an eventual permanent housing unit. But few of the homeless get excited about that right away. It can take six months to be placed in a supportive housing room - a unit in a complex with counselors on site to help people overcome troubles such as addiction - and many don't like waiting the time out in shelters.

"I've been sleeping in this terminal for a year, and nobody has offered me anything I want," said 44-year-old Connie Britton, slumped

inside on a bench at 10 p.m. one recent night. "I have emphysema and bad depression, and I've spent half my life in jail, so I can't stand to be inside with a bunch of people in a dormitory kind of situation like a shelter.

"They say they're going to tear this place down, but I'll believe it when I see it," Britton said. "I'm staying here until something better comes along."

Albertson sighed as he surveyed the dozen indigents sprawled or standing around Britton.

### **Ramping up**

"We have limited resources, but we are trying very hard to direct people to places that can help them," he said. "One of the big challenges, though, is that not everyone will fit well into a shelter bed or a single-occupancy room environment. And that's why we just have to keep walking through here, engaging people, build relationships and try to figure out how to help them."

Albertson has 14 outreach workers who have made the terminal a top priority. In the past four months, 13 hard-core homeless people who had been taking cover there have been placed into housing or shelter beds, but now the team is ramping up its efforts.

It has less than three weeks until closing time for the terminal, and even in the best of conditions, homelessness counselors know that persuading severely dysfunctional people to move inside can take two years.

"Those 35 or so most acute cases are the ones we are concentrating on most," Albertson said, watching Cat Man crawl into his cardboard box after refusing yet another attempt at conversation.

"The normal campers, the ones who can come and go easily, they will leave even if we can't convince them to take help," he said. "But the others, the ones who have been here a long time, those are the ones who will still be behind the fence when this building comes down, looking confused."

E-mail Kevin Fagan at [kfagan@sfchronicle.com](mailto:kfagan@sfchronicle.com).

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2010/07/19/MND81EFBKC.DTL>

This article appeared on page **A - 1** of the San Francisco Chronicle

**SFGate.com****Transbay Terminal finally going terminal**

Carl Nolte

Sunday, July 25, 2010



Aug. 6 - a week from Friday - is the end of the line for San Francisco's Transbay Transit Terminal. It will close at midnight and I don't think anyone will be sorry to see the old place go. Even the historians will be glad when the terminal is history.

The Transbay Terminal has become a civic disgrace. It's dark, gloomy and mostly empty. At night, the downstairs waiting room has been taken over by homeless people, many of them mentally ill, who sleep on the wooden benches or roam the dark corridors. It's surreal - a home for homeless, broken, ignored people, surrounded by high-rise, gleaming condo towers.

It is a sad end for a building that never lived up to its potential.

The Transbay Terminal was designed by Timothy Pflueger, the famous San Francisco architect, to be the station for all the electric trains that crossed the new Bay Bridge from the East Bay into the city.

When the terminal opened in January 1939, it was the beginning of a new era of travel. Trains would replace the beloved, but old-fashioned commuter ferries. The first trains into the terminal "symbolized San Francisco's dream of decades - an uninterrupted rail link with the East Bay and the East," the San Francisco Examiner said.

At first, passengers could take electric trains from the Transbay Terminal across the Bay Bridge all over the East Bay - to Oakland, Berkeley, San Leandro and Hayward on either the orange and white Key System trains or the Big Red trains of Interurban Electric Railway. They could also ride the Sacramento Northern's interurban trains, like the morning Comet and the afternoon Meteor, to Sacramento and Marysville, or all the way to Chico, far up the Sacramento Valley.

If the Bay Bridge railway had operated as designed, it could have handled up to 50 million passengers a year, which would have made it the busiest rail terminal in the country.

"It didn't work," said Grant Ute, a rail historian who has studied the bridge railway.

The first problem was that all three rail systems were run by private corporations - and all three operated at a deficit. Within two years, both the Sacramento Northern and the Red trains had quit, leaving only the Key System.

Patronage on the Key trains never came anywhere close to the projections. Even in their busiest year, at the end of World War II, the bridge trains carried 26.4 million passengers, just over half the designed capacity of the bridge railway, and in 1957, the last full year of trains on the bridge, only 5.2 million rode the transbay rails.

The tracks took up half the lower deck of the bridge; if the bridge were to accommodate the growing car and truck traffic, the rails had to go. The last run of the bridge trains was early on the morning of April 20, 1958. The great bridge railway, which cost the equivalent of \$278.5 million in modern dollars, had lasted only 19 years.

AC Transit took over from the failing Key System and the terminal became an all-bus operation. It was like using a battleship to ferry people across the bay.

The Transbay Terminal itself was no prize. The waiting room was on the first floor, with a low, heavy ceiling, dimly lit. But the trains, and later the buses, left from the third floor, a space open at both ends, cold and windswept in the winter and in the summer fog.

Still, the new setup worked for a while. There was a restaurant in the building, a lively cocktail lounge, a busy newsstand. But when BART started running trains under the bay, the old terminal started a long downhill slide. Now it is the bus station from hell.

Seventy-one years ago, when the terminal was brand new, it replaced the old Ferry Building as the center of transbay commuting.

"Now the Ferry Building is alive and vibrant," said Ute, the historian. "We have come full circle."

Carl Nolte's Native Son column appears every Sunday. E-mail him at [cnolte@sfchronicle.com](mailto:cnolte@sfchronicle.com).

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2010/07/25/MN091EIJFB.DTL>

This article appeared on page **A - 2** of the San Francisco Chronicle

San Francisco Business Times - July 8, 2010  
[/sanfrancisco.com/stories/2010/07/05/daily64.html](http://sanfrancisco.com/stories/2010/07/05/daily64.html)

Attachment 7

# SAN FRANCISCO Business Times

Thursday, July 8, 2010

## Mid-Market retail project wins approval

San Francisco Business Times - by [J.K.Dineen](#)

The Planning Commission Thursday approved Urban Realty's CityPlace project, a 250,000 square-foot value-based retail development that could help spark a revival of the forlorn stretch of Market Street west of Fifth Street. The votes were 5-2 and 6-1 on various motions needed to approve the project.

With the entitlements in place the developer will now ramp up efforts to lure mass-market retailers like TJ Maxx, Bed Bath & Beyond, or Target -- the sort of bread and butter stores the developers says are missing from the more trendy and upscale stores in Union Square and the four-year-old \$460 million Westfield San Francisco Centre at Fifth and Market Streets.

The glass-curtain building, designed by Gensler, would consist of five wide open 45,000 square foot floor plates. It also calls for two levels of under ground parking, some 167 spots, which was most controversial aspect of the plan. Both the San Francisco Bicycle Coalition and the pedestrian advocacy group Walk SF argued that the project should have been approved for the 70 parking spots allowed under current zoning.

"We want to see this area thrive but we don't want to throw out our values as San Franciscans to see it thrive," said Tom Radulovich, executive director of Livable City and a BART board member.

During the approval process Urban Realty decreased the number of proposed parking spaces from 200 to 188 and finally to 167. Project attorney Jim Abrams of Gibson Dunn said 167 parking spots "is the minimum amount of parking we can provide in order for this project to succeed."

For Urban Realty executives David Rhoades and Martin Sawa, the approval caps off a six year entitlement process. Rhoades and Sawa began acquiring property on Market Street in 2004, quietly and quickly accumulating properties on the mostly vacant block between Fifth and Sixth streets. In total they bought eight properties for \$100 million.

In late 2009, Rhoades told the Business Times how he and his partners went about assembling the retail development property as well as another group of sites across the street on the north side of Market Street.

"We were very quiet," said Rhoades. "We acquired this under three different transactions. Across the street, three transactions. Mission Street was one and then 901 Market St. So it was eight different transactions -- and no one knew about any one of them."

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## Anticipated grant to help Mid-Market

John Coté, Will Kane  
Thursday, July 15, 2010

The National Endowment for the Arts is joining the effort to help spruce up Mid-Market. Today, the organization is expected to announce a \$250,000 grant to help set up an arts market at U.N. Plaza and to install "an interactive, monumental artwork" in a vacant lot across from the plaza or nearby.

The money will go toward a \$1.2 million city project to rejuvenate the seedy stretch of the city's main thoroughfare running from U.N. Plaza to Sixth Street and to create a thriving arts and cultural district.

The downtrodden patch of cityscape along Market from Van Ness to Fifth Street - which abuts the Tenderloin and its soup kitchens, homeless outreach programs and single-resident-occupancy hotels - has been a hobgoblin of mayors for decades.

But there has been some recent momentum toward transformation. Mayor **Gavin Newsom** has pushed programs for the area, like putting art in vacant storefronts to decrease blight. He crammed the city's political leadership into the Luggage Store art gallery in June to unveil his budget, saying Mid-Market represents the "crossroads of everything that I think is spectacular about the city and everything that remains very challenging and vexing about the city."

Newsom announced an \$11.5 million loan program to attract businesses and nonprofits to the area, and the city's Planning Commission last week approved the CityPlace retail center, which will replace three boarded-up buildings along Mid-Market.

Today's grant will help create two art installations featuring lasers or LED lights to be housed at gateways to the Mid-Market district and other programs. San Francisco was one of 21 cities to be awarded the National Endowment for the Arts' grants, and one of only four to be awarded the \$250,000 top amount.

- John Coté

**Ballot bound:** A measure that would raise San Francisco's hotel tax 2 percent for four years and close loopholes for airlines and online travel companies qualified for the November ballot, the Department of Elections confirmed Wednesday.

Backers, including public employees, social service groups and teachers, say the measure will bring in about \$35 million annually to city coffers while staving off the need for deeper cuts to services for children, seniors and others. Opponents like Mayor **Gavin Newsom** say it will hamstring the city's biggest industry and kill jobs.

The mayor has unveiled his own November ballot measure that will plug the loopholes but not hike the hotel tax. It's projected to generate \$12 million in its first full year.

- John Coté

**Preserving B2B:** It is still more than 300 days away, but the perennial debate over the Bay to Breakers race has already started.

Representatives from all sides of the debate sat down this week to discuss, among other things, the proposed ban on booze for the world-famous 7.46-mile footrace that attracts serious athletes and drunken revelers alike.

The group, made up of city officials, neighbors, organizers and those seeking to preserve the party, didn't decide much, except to meet again in six weeks.

At issue is the partying that accompanies the race.

"The neighborhoods are fed up with people who are peeing, puking and passing out on their doorsteps," said **Sam Singer**, a spokesman for the race.

## LOCAL NEWS

## Jazz venue pitch off-key

**New Orleans company may bypass city-backed Fillmore music district**

By Joshua Sabatini  
Examiner Staff Writer

Millions of dollars and years of planning to transform the Lower Fillmore district into a jazz destination might not be enough to stop a famed New Orleans jazz venue from opening in the Mission district.

But the Fillmore is not just about jazz, say key stakeholders who are involved in an effort to revitalize the area — they've even stopped calling it a jazz district.

"While we are not going to give up on jazz, it is not enough," said Jennifer Matz, deputy director of the Mayor's Office of Economic and Workforce Development.

Businesses, city officials and residents are finalizing an aggressive three-year, \$800,000 plan for marketing, business attraction and other forms of investment in the Fillmore area to help existing businesses survive the economic downturn and bring more vitality to the area.

The effort is being overseen by the Economic and Workforce Development Office, and the funding is from the San Francisco Redevelopment Agency, which has been criticized for displacing residents



**Traveling band:** Preservation Hall of New Orleans is considering opening a location on Valencia Street in The City where New College used to be located.

years ago and leaving the neighborhood revitalization unfinished.

Forty years ago, much of the Fillmore district — once considered "the jazz Harlem of the West," where such legends as Billie Holiday and Louis Armstrong performed — was demolished by the agency. In 1995, the Redevelopment Agency created the Fillmore Jazz Preservation District to help revitalize the commercial area of the Lower Fillmore.

But despite being labeled the jazz

district, New Orleans' historic Preservation Hall is in talks to open a San Francisco location in another neighborhood: the Mission.

However, there are "no solid plans" regarding the Mission jazz venue. A director for the New Orleans Preservation Hall — described as a musical venue in the French Quarter founded in 1961 "to protect and honor New Orleans jazz" — is in talks with Jack Knowles, proprietor of Oakland restaurant A Coté. The two could open the jazz venue and restaurant at 777 Valencia St., a building owned by Knowles that used to be New College.

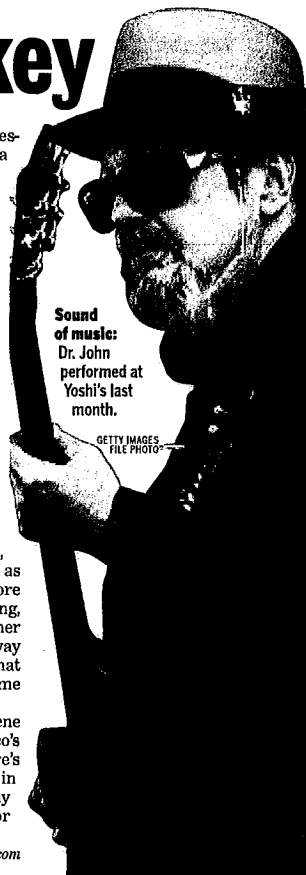
But, having a jazz-focused music venue in the Mission doesn't sound like a sour note to Kaz Kajimura, who owns Yoshi's, the jazz club and restaurant seen as an anchor tenant for the Fillmore area. Kajimura said if anything, having another jazz club in another neighborhood would go a long way to "raise the consciousness" that San Francisco is the place to come for live music.

"A vibrant arts and culture scene is a core part of San Francisco's economy, and that means there's room for music, including jazz, in every neighborhood," said Tony Winnicker, spokesman for Mayor Gavin Newsom.

jsabatini@sfexaminer.com

**Sound of music:** Dr. John performed at Yoshi's last month.

GETTY IMAGES  
FILE PHOTO



## FATAL POLICE SHOOTING Man killed by cops identified

**OAKLAND** — Police identified the man fatally shot by officers Saturday as 48-year-old Fred Collins. He reportedly charged at officers with two knives.

A 911 call was made around 8:10 a.m. about a man armed with knives a few blocks west of the Fruitvale BART station.

After the man ran away from two BART police officers, an Oakland police officer tried unsuccessfully to subdue him with a Taser, Oakland police Officer Jeff Thomson said. Collins ran away again and another Oakland police officer used a Taser on him, which was ineffective.

Officers said Collins was holding a knife in each hand and charged at officers, who opened fire on him. Three Oakland and two BART police officers shot Collins. — Bay City News

## THE 3-MINUTE INTERVIEW

### Michael Shankman

The San Francisco-based artist's work has been exhibited internationally and featured in *New American Paintings*, *Harper's* and *Guernica* magazines. Locally, his work is at Hang Art Gallery, 567 Sutter St.



#### How do your immediate surroundings influence your art?

When I first moved to San Francisco in 2002, I was guided completely by my surroundings, and a painting amounted to whatever I had stumbled across that week. Gradually, I became more intentional about what I was painting, and I began to use my own experience as a collage to create images of impossible places.

#### You lived in Brooklyn, N.Y., for a while. How does San Francisco's art scene compare?

San Francisco's art scene is colorful, vibrant and inspiring, but it is absolutely dwarfed by New York. The New York culture is thick and there is just more of everything there, but there are days when the city just crushes you. Plus, you can't get a fresh avocado there to save your life.

#### How has the recession affected your work?

This year, I had a show at Hang Art Gallery called "Dream Home." The work takes place in my home state of Colorado, where suburban homes, many now in foreclosure, surround the ruins of Gold Rush-era homesteads. It's all splitting and crumbling together, the old and the new, and so is my bank account. — Juliana Bunn

## Loss of census jobs extends unemployment line

By Andrea Koskey and John Upton  
Examiner Staff Writers

New misery is being poured on hapless local job seekers, with more than 1,000 positions disappearing from San Francisco last month.

Unemployment has nearly doubled in San Francisco since international credit markets failed in late 2008.

The City's rate fell from a near-record 10.3 percent in March to 9.2 percent in May, state figures show. But that positive trend stalled in June, when 1,100 local jobs were lost and 1,000 additional city residents entered or re-entered the job market.

There are now more than 43,000 unemployed residents in San Francisco, which has a population of roughly 815,000, California Employment Development Department figures show.

The work-force carnage wreaked last month pushed the local unemployment level up to 9.6 percent, which is similar to the national figure but several percentage points healthier than California's average.

The loss of temporary U.S. census

### Out of work

June statistics from the state's employment department:

- **Civilian labor force (seasonally adjusted):** 18,314,500
- **Employment (seasonally adjusted):** 16,070,000
- **Unemployment (seasonally adjusted):** 2,244,500
- **Unemployment rate (seasonally adjusted):** 12.3 percent
- **Total nonfarm industry employment (seasonally adjusted):** 13,880,700
- **Average hourly wage in first quarter of 2010:** \$23.42

Source: California Employment Development Department

positions was blamed for a substantial chunk of recent job losses, the state's employment department said in a statement released Friday.

Census offices were required to hire field counters, office staff and managers from the area they would be surveying, providing jobs to thou-



AP FILE PHOTO

sands of unemployed residents.

San Francisco resident and local census office manager Alex Darr said there were at least 10 applications for every position that was hired, reflecting the real need for jobs.

"It caught us a little by surprise," he said. "We had a higher proportion

of highly educated people."

Darr said many of them, himself included, were grateful for the work.

But Darr and roughly 4,300 other census workers in the area — 3,000 in San Francisco and 1,300 in San Mateo County — are coming to the end of their temporary employment.

Many already lost their jobs, with a large chunk of census work wrapping up last month.

Silvia Allegretto, a labor economist at UC Berkeley, said the layoffs are coming at a terrible time.

"The private sector is not turning out jobs to lead us to strong recovery," she said. "[Census work] was in all communities, so it was a nice little boost, but it's too short."

Tony Winnicker, Mayor Gavin Newsom's spokesman, described The City's unemployment rate as "stubbornly and unacceptably high," but said "we continue to do better" than most of California.

On Thursday, Newsom's administration will outline new local stimulus proposals to planning commissioners, including an effort to finance construction of new infrastructure.

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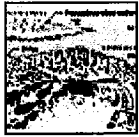




## Hunters Point shipyard plan wins key approval

John Wildermuth, Chronicle Staff Writer

Thursday, July 15, 2010



The decade-old plan to turn the long-shuttered Hunters Point Naval Shipyard into a dynamic new bayside neighborhood moved a giant step closer to reality early Wednesday morning when the Board of Supervisors approved the controversial environmental impact report for the 702-acre project.

The board still needs to approve the specifics at its July 27 meeting, but the surprisingly strong 8-3 vote in favor of the redevelopment plan shows the support is there, said Sophie Maxwell, the force behind the project that supporters say will transform her Bayview-area district.

"This has been a long time coming," she said. "One of the reasons I ran (for supervisor) was to usher this through, and now I'm concentrating on pushing it over the finish line."

The timing is perfect for Maxwell, a Bayview resident who served on a local committee working on plans for the shipyard before being elected to the board in 2000. She will be termed out of office in January.

The redevelopment plan calls for homes for 24,000 residents, open space and space for office, retail and research and development. Fights over the plan have centered on removing toxic substances and developing sensitive wetlands.

### Improvement efforts

Both supporters and opponents of the project vowed to craft amendments designed to change parts of the redevelopment plan when it returns to the board later this month, but Maxwell isn't worried.

"I expect that everything is going to pass," she said. "There might be some changes, but the core values are going to stay."

Even some of the project's opponents suggested the effort over the next two weeks will be to improve the plan rather than torpedo it.

"The EIR is behind us and I'm not going to continue to raise concerns about the cleanup" of toxic substances on the former base, said Supervisor Eric Mar, who joined supervisors Chris Daly and John Avalos in voting against approval of the environmental impact report. "I want to make sure that we have the strongest enforcement we can make to ensure that the developer follows through on the promises made to the community."

Lennar Corp., the Miami-based home builder developing the shipyard, has signed a community benefits agreement requiring that 32 percent of the 10,500 planned units be affordable housing, including replacement of the aging Alice Griffith housing project; providing job training for local residents and setting goals for local hiring. The \$25 million promised for community benefits also will include educational improvements, a scholarship fund and improvements to the Southeast Health Center.

The developer has long been the target of complaints from opponents, including some at Tuesday's 9 1/2-hour-long hearing, who charge that Lennar received a sweetheart deal from the city for the shipyard property and has been more concerned about profits than community health. While cleanup is continuing, local, state, and federal reports have found much of the site clean enough to develop.

The company has fought those complaints for years, but weeks away from seeing most of its political problems end, it isn't inclined to pick a fight.

"We recognize that such a large project has its foes as well as supporters," said Kofi Bonner, a Lennar vice president.

### Opposition to bridge

The largest remaining sticking point is the plan to connect the shipyard property and Candlestick Point with a bridge over Yosemite Slough. The plan has brought howls of protest from environmental groups.

The bridge will cross a large patch of wetlands that is slated for restoration. Groups like the Sierra Club and the Audubon Society challenged the environmental impact report, arguing that the city could avoid the bridge by routing traffic around the slough, a ride that would take only minutes longer.

Planners said the more direct route is needed for buses to serve the community. But National Football League officials have also said that the bridge is a requirement if a new stadium for the 49ers is ever included in the project.

Supervisor David Campos, who voted for the environmental impact report, argued Wednesday morning that "the argument as to why the bridge is needed has not been made," and reminded the board that the vote on the report "is not the end of the process."

But the proposals suggested so far are fixes to the existing plan, which supervisors say is on the cusp of final approval.

"Last night was a milestone; it's something people in the Bayview community cared about so much," said board President David Chiu. "We're moving forward with a project that will impact the future of San Francisco."

E-mail John Wildermuth at [jwildermuth@sfgchronicle.com](mailto:jwildermuth@sfgchronicle.com).

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2010/07/15/MNIB1EEE6B.DTL>

This article appeared on page **A - 1** of the San Francisco Chronicle

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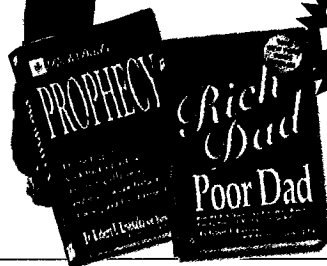
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## LOCAL NEWS

### Impact report OK'd for Hunters Point

**Vote allows supervisors  
to amend plans for  
contested development**

By John Upton  
Examiner Staff Writer

The future of the Bayview neighborhood, which has struggled with crippling joblessness and economic depression since a shipyard was shuttered in the 1970s, will be shaped by city lawmakers during the coming weeks.

The Board of Supervisors ruled early Wednesday that an environmental impact report for a 702-acre redevelopment project covering much of the Hunters Point Naval Shipyard and surrounding land meets standards set by California law.

The ruling allows lawmakers to now consider, refine and accept or reject specific shipyard redevelopment plans, which could include more than 10,000 homes, entertainment venues, a marina and scores of commercial buildings. The first planned hearing is scheduled in two weeks.

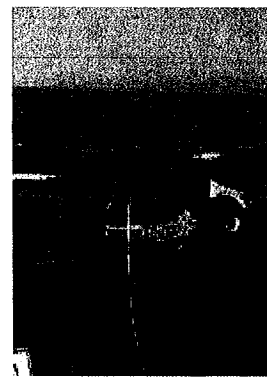
By an 8-3 vote, the board early Wednesday morning rejected four appeals that claimed the environmental review failed to properly analyze alternative development ideas, ignored health effects on Bayview residents from multiple sources of pollution, and glossed over Navy-led pollution cleanup plans.

Supervisors John Avalos, Chris Daly and Eric Mar cast the dissenting votes. The ruling could be challenged in court.

With the administrative matter of the shipyard's environmental review behind the board, its members will now help to craft one of the most ambitious and contentious redevelopment projects in San Francisco's history.

Current building plans, shaped by master developer Lennar Corp. and Mayor Gavin Newsom's administration, have been criticized by neighborhood and environmental activists.

The sprawling nature of the development, the expected high



**Up to snuff:** The Board of Supervisors ruled that an EIR for the Hunters Point redevelopment meets state standards.

costs of homes within the project and a bridge planned over a sleepy waterway are among the most criticized elements.

Some surrounding residents fear that the project will increase the cost of living in their neighborhoods and force them to move away from the sunny hayside area.

Outright rejection of rebuilding plans is unlikely, however, with officials and residents generally recognizing a need to reinvent the ghostly industrial wasteland and help lift surrounding neighborhoods out of poverty.

Board President David Chiu this week proposed a handful of project amendments, and other supervisors are expected to submit similar ideas before a July 27 hearing, when votes could be cast on the project.

One of Chiu's amendments would minimize the size of a transit and pedestrian bridge that's planned over Yosemite Slough. Another would help expand the Southeast Health Center.

Gabriel Metcalf, executive director of the San Francisco Planning and Urban Research Association, praised Chiu's compromising position.

"It wasn't grandstanding — it was trying to make the project work," Metcalf said. "It seems promising to me."

jupton@sfxaminer.com

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Local

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## Shipyard pollution expected to linger

By: [John Upton](#)  
July 16, 2010

SAN FRANCISCO — Inconsistency and uncertainty surround the environmental cleanup of the Hunters Point shipyard, where plots that are scrubbed clean of heavy metals and radiation could sit next to sites that remain polluted.

City leaders are poised to approve construction of more than 10,000 homes and scores of other buildings on 702 acres of the former Hunters Point Naval Shipyard, Candlestick Point and surrounding land. Much of the land was contaminated by the Navy, which operated the site from 1941 to 1974.

The Navy does not intend to finalize its cleanup plans until next year, but residents and officials are concerned that it will leave some nasty pollution behind, creating patchworks of clean and contaminated land. Development plans in parts of the shipyard were shaped by site pollution, such as construction of a park over a dump. Cleanup efforts nearby were dictated by development plans, with pollution thoroughly removed from beneath the site of a proposed football stadium.

One example of the incongruent cleanup is a roadway that runs by a radioactive dump. The Navy is preparing to excavate sewers in fall that carried flushed radioactive waste beneath Crisp Road, and to clean a railroad right of way that juts into the Bayview district, according to U.S. Environmental Protection Agency regulator Mark Ripperda.

Adjacent to the road, however, is a radioactive underground dump. That land might be merely covered with dirt, though a final decision is pending from the Navy.

Redevelopment plans call for parkland to be built over the dump site. Sports fields, which also could serve as a parking lot, are planned on less-radioactive areas.

Nearby shipyard land, on the other hand, is planned to have its petroleum and heavy-metal contamination fully removed or treated, according to federal documents. A 25-acre rectangle, which was imagined by politicians and officials as the site of a 49ers stadium, could be transferred to The City in a clean state next year after the federal government prioritized its cleanup.

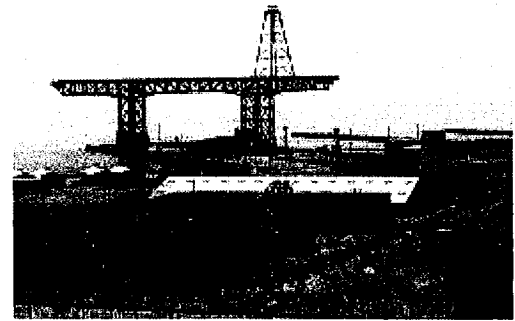
Uncertainty about how radioactive pollution will be treated has created project controversies, since exposure to radiation and associated heavy metals can lead to cancer and other illnesses.

The Navy has skipped City Hall shipyard hearings, leaving local economic development officials to assure lawmakers and residents that risks will be safely managed and regulated.

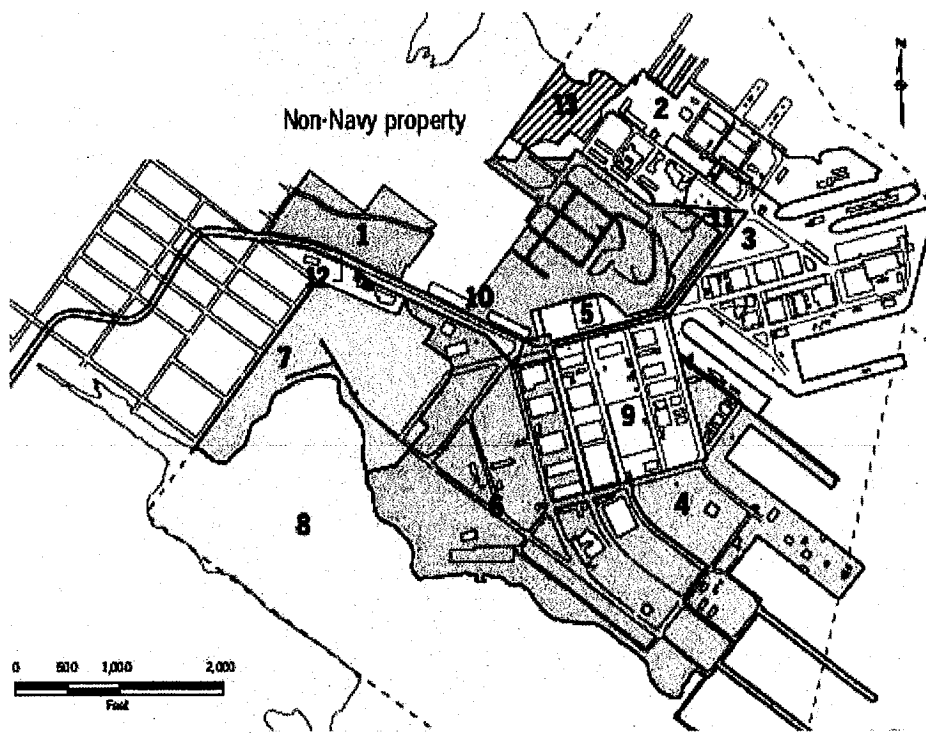
“Materials that are allowed to be left behind can be touched, eaten and breathed every day for 30 years safely,” Mayor Gavin Newsom’s development adviser, Michael Cohen, said this week during a hearing about the shipyard.

Cleanup issues and questions will arise during a July 27 Board of Supervisors hearing, when project approvals could be sought.

[jupton@sfoxaminer.com](mailto:jupton@sfoxaminer.com)



The Navy expects to finalize cleanup plans for the Hunters Point shipyard, which is occupied, next year. (Examiner file photo)



## Contaminated plots

### Cleanup details for Navy parcels at Hunters Point shipyard:

- 1 Cleaned land transferred to The City in 2004. Homebuilding will begin after Lennar Urban finalizes financing.
- 2 Soil was excavated and groundwater is being treated in order to transfer the land to The City next year for housing development.
- 3 Heavily contaminated hot spots and underground water pollution are being treated, and land could be transferred in 2013 for use as a research hub and marina.
- 4 Groundwater is being cleaned and soil and steam and sewer lines are being removed from the parcel, which could be transferred for development in 2012.
- 5 Cleanup efforts mean the land could be transferred to The City next year.
- 6 Mild radioactive waste is buried beneath planned sports fields and parks. The Navy will decide next year whether pollution will be removed or covered. Land transfers are expected from 2013 to 2015.
- 7 Dangerous site of a radioactive underground dump that burned for several weeks in late 2000. The Navy and U.S. EPA will decide whether pollution will be removed, with a land transfer planned in 2015.
- 8 Pollution in Bay could be dredged, partly dredged or covered over. Land could be transferred to The City in 2016.
- 9 The Navy expedited cleanup of a rectangle where local officials hoped the 49ers would build a stadium. The land could be transferred to The City next year for construction of a research hub.
- 10 Contaminated underground utility lines were removed and a land transfer is planned next year.
- 11 Contaminated underground utility lines were removed and a land transfer is planned next year.
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**Master in wine country**  
Virtuoso Bell playing at  
Napa music fest **PAGE 25**

**'Inception' a winner**  
Director's vision will  
amaze viewers **PAGE 21**



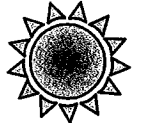
sfexaminer.com

**WEEKEND  
EDITION**

FRIDAY,  
JULY 16, 2010

**The Examiner**  
SAN FRANCISCO

73° 58°



Sunny and warm with  
fog early. **PAGE 27**

**FOOD**

**Cherish a meal**

Heirloom Cafe in SF  
offers rich local fare

**PAGE 22**



**LOCAL NEWS**

**Try at true love**

Women line up for  
shot at 'Bachelor'

**PAGE 7**

**KEN GARCIA**

**Whitman's war**

Gubernatorial  
effort makes  
curious moves

**PAGE 4**



# Chaotic cleanup of shipyard toxic mess

Uncertainty and inconsistency plague Navy's plan to clear  
pollution from Hunters Point development project **PAGE 6**



**SPORTS**

**Warriors sold  
in record deal**

Movie mogul Guber,  
venture capitalist  
Lacob buy team  
for \$450 million

**PAGE 50**



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# LOCAL NEWS

## NEWSMAKERS

### LARRY ELLISON

America's Cup defender BMW Oracle Racing of San Francisco, founded by Ellison, plans to conduct trials next week off Valencia, Spain, to help determine whether the next regatta will be sailed in multihulls or traditional monohulls. BMW Oracle routed Alinghi of Switzerland in two races in February in giant multihulls. If multihulls are chosen for the 34th race, they'll be smaller and less costly.



### SCOTT THOMAS

The man convicted of aggravated mayhem and attempted murder for the stabbing of a 15-year-old girl and a 60-year-old man in 2007 has asked to withdraw his plea of not guilty by reason of insanity, over the objection of his attorney. At the time of the trial, the jury hung on the question of Thomas' sanity. If the court allows him to withdraw his plea, it will clear the way for Thomas to be sentenced to state prison.



### GAVIN NEWSOM

The mayor defended John Rahaim in the Planning Department chief's decision to fire a handful of city planners in May after an uncensored pornographic e-mail was sent around the department office. Rahaim confirmed there's an anonymous letter being circulated among city planners asking the mayor to fire Rahaim. The mayor caught wind of it and countered by saying Rahaim did the right thing.



SOUTHBOUND VEHICLES  
ON GOLDEN GATE BRIDGE  
IN MAY 2010

**1,668,354**

SOUTHBOUND VEHICLES  
ON BRIDGE IN FISCAL  
YEAR 2008-09

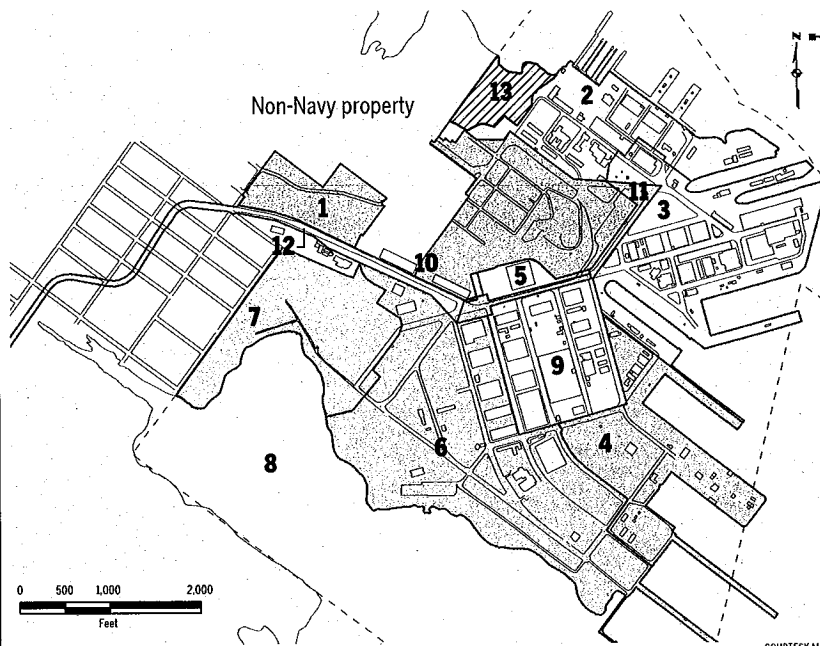
**19,066,406**

VEHICLES THAT HAVE  
CROSSED BRIDGE SINCE  
OPENING IN 1937, AS OF  
NOVEMBER 2009

**1.8B**

LIFE BY NUMBERS

AZ



COURTESY MAP

## Pollution expected to linger

*Areas of shipyard redevelopment may not be as clean as others*

By John Upton  
Examiner Staff Writer

Inconsistency and uncertainty surround the environmental cleanup of the Hunters Point shipyard, where plots that are scrubbed clean of heavy metals and radiation could sit next to sites that remain polluted.

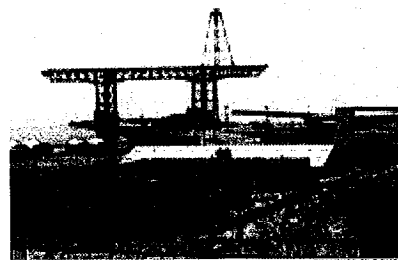
City leaders are poised to approve construction of more than 10,000 homes and scores of other buildings on 702 acres of the former Hunters Point Naval Shipyard, Candlestick Point and surrounding land. Much of the land was contaminated by the Navy, which operated the site from 1941 to 1974.

The Navy does not intend to finalize its cleanup plans until next year, but residents and officials are concerned that it will leave some nasty pollution behind, creating patchworks of clean and contaminated land. Development plans in parts of the shipyard were shaped by site pollution, such as construction of a park over a dump. Cleanup efforts nearby were dictated by development plans, with pollution thoroughly removed from beneath the site of a proposed football stadium.

One example of the incongruent cleanup is a roadway that runs by a radioactive dump. The Navy is preparing to excavate sewers in fall that carried flushed radioactive waste beneath Crisp Road, and to clean a railroad right of way that juts into the Bayview district, according to U.S. Environmental Protection Agency regulator Mark Ripperda.

Adjacent to the road, however, is a radioactive underground dump. That land might be merely covered with dirt, though a final decision is pending from the Navy.

Redevelopment plans call for parkland to be built over the dump site. Sports fields, which also could serve as a parking lot, are planned on less-radioactive areas.



EXAMINER FILE PHOTO

**Pending:** The Navy expects to finalize cleanup plans for the Hunters Point shipyard, which is occupied, next year.

Nearby shipyard land, on the other hand, is planned to have its petroleum and heavy-metal contamination fully removed or treated, according to federal documents. A 25-acre rectangle, which was imagined by politicians and officials as the site of a 49ers stadium, could be transferred to The City in a clean state next year after the federal government prioritized its cleanup.

Uncertainty about how radioactive pollution will be treated has created project controversies, since exposure to radiation and associated heavy metals can lead to cancer and other illnesses.

The Navy has skipped City Hall shipyard hearings, leaving local economic development officials to assure lawmakers and residents that risks will be safely managed and regulated.

"Materials that are allowed to be left behind can be touched, eaten and breathed every day for 30 years safely," Mayor Gavin Newsom's development adviser, Michael Cohen, said this week during a hearing about the shipyard.

Cleanup issues and questions will arise during a July 27 Board of Supervisors hearing, when project approvals could be sought.

jupton@sfxaminer.com

### Contaminated plots

Cleanup details for Navy parcels at Hunters Point shipyard:

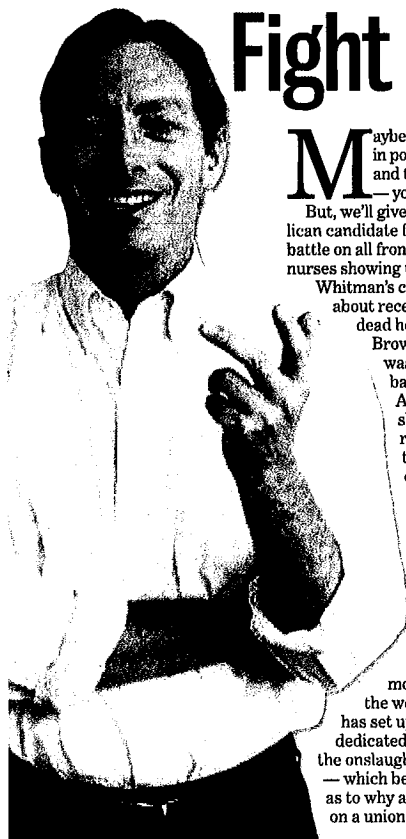
- 1** Cleaned land transferred to The City in 2004. Homebuilding will begin after Lennar Urban finalizes financing.
- 2** Soil was excavated and groundwater is being treated in order to transfer the land to The City next year for housing development.
- 3** Heavily contaminated hot spots and underground water pollution are being treated, and land could be transferred in 2013 for use as a research hub and marina.
- 4** Groundwater is being cleaned and soil and steam and sewer lines are being removed from the parcel, which could be transferred for development in 2012.
- 5** Cleanup efforts mean the land could be transferred to The City next year.
- 6** Mild radioactive waste is buried beneath planned sports fields and parks. The Navy will decide next year whether pollution will be removed or covered. Land transfers are expected from 2013 to 2015.
- 7** Dangerous site of a radioactive underground dump that burned for several weeks in late 2000. The Navy and U.S. EPA will decide whether pollution will be removed, with a land transfer planned in 2015.
- 8** Pollution in Bay could be dredged, partly dredged or covered over. Land could be transferred to The City in 2016.
- 9** The Navy expedited cleanup of a rectangle where local officials hoped the 49ers would build a stadium. The land could be transferred to The City next year for construction of a research hub.
- 10** Contaminated underground utility lines were removed and a land transfer is planned next year.
- 11** Contaminated underground utility lines were removed and a land transfer is planned next year.
- 12** Contaminated sewer lines could be excavated this fall and former railroad land will be cleaned, with transfer to The City planned by 2013.
- 13** Polluted land will be covered over by the Navy before it's transferred to The City in 2013.

Sources: U.S. EPA, Lennar Urban, Mayor's Office of Economic and Workforce Development

# FAULT LINES

BY KEN GARCIA

## Fight with union could hurt



**M**aybe you actually can have too much money in politics, since it gives people the freedom and time to tackle just about anything — your opponent, major unions, truth.

But, we'll give credit to Meg Whitman, the Republican candidate for governor, for having the moxie to battle on all fronts, including trying to fend off angry nurses showing up to protest at her home.

Whitman's camp should have been all atwitter about recent polls that show her in a virtual dead heat with Democratic nominee Jerry Brown. Most of the media focus, however, was on other news: Whitman's ongoing battle with the California Nurses Association and reports that she was possibly going to raise up to \$30 million for the GOP to help it with other statewide races (some staff officials deny).

Besides the fact that we should be wary of anyone who actually wants the job, the race for the state's top office gets more curious by the week. Whitman has set up a new website dedicated to answering the onslaught from the CNA — which begs the question as to why anyone would take on a union when running

against California's major brand name.

And then she announced that she wanted to set up an advisory committee to help reach out to nurses, which got the union's leadership so mad you'd think they were asked to start working consecutive 24-hour shifts.

History has shown that taking on popular and powerful unions in the middle of a campaign is a sure way to derailment. (Gov. Arnold Schwarzenegger suffered a devastating election a few years back due to his battles with the CNA and he's never quite recovered).

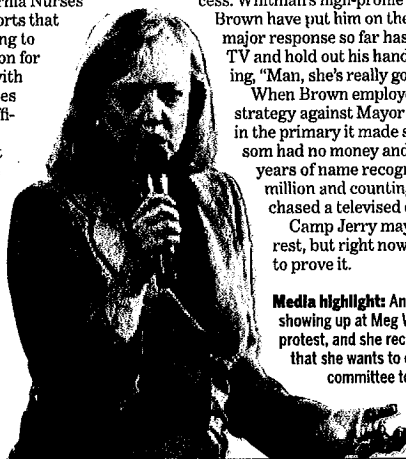
And, it's even more puzzling when the one thing that you do well — spend money — has been a surefire success. Whitman's high-profile attack ads against

Brown have put him on the defensive, and his major response so far has been to go on cable TV and hold out his hand to supporters, saying, "Man, she's really got a lot of money."

When Brown employed his rope-a-dope strategy against Mayor Gavin Newsom early in the primary it made sense because Newsom had no money and was up against 40 years of name recognition. At nearly \$100 million and counting, Whitman has purchased a televised debate — for herself.

Camp Jerry may be smarter than the rest, but right now there are few signs to prove it.

**Media highlight:** Angry nurses are showing up at Meg Whitman's home to protest, and she recently announced that she wants to create an advisory committee to help reach out to them.



AP FILE PHOTO

## Crusader for medical pot should read the rule book

**W**hen Matt Lucero says he'd rather fight than switch, he's not kidding. The founder of a recently closed pot club in Mountain View — which he operated despite a moratorium on medical cannabis dispensaries — says he's going to run for mayor of the town because its laws are archaic.

Of course, he'll have to move there first. It's the lack of attention to detail that got him in trouble in the first place.

Lucero, who lives in Campbell, told a Bay Area newspaper that he's running because his clients have been urging him to continue his lengthy battle with the Mountain View City Council, and ultimately the courts, to remain in business.

After the courts shut him down, Lucero moved Buddy's Cannabis Patient Collective to Sunnyvale, even though he doesn't have a permit and the city also has a moratorium on pot clubs. Lucero reportedly was cited and will face fines for each day he keeps Buddy's operating, which means that at about \$1,000 a day, he's going to have to sell a lot of buds to keep his buddies happy.

Someone may want to tell him that when mayors are sworn in, they usually pledge to uphold the law.



**SIGN UP:** For the latest updates from Ken Garcia's Examiner column, sign up for e-mail alerts by visiting <http://bit.ly/sfexam>.

[sfexaminer.com](http://sfexaminer.com)



EXAMINER FILE PHOTO

**Shovel-ready:** Supervisors approved the environmental report for the Hunters Point redevelopment.

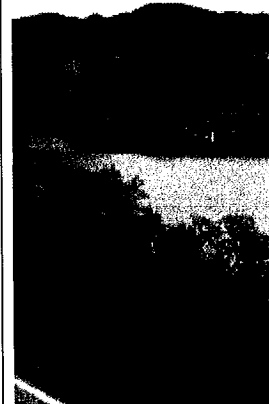
## Board proves it can make good decisions

**I**n San Francisco, land fights are never over, but give the Board of Supervisors credit for doing the right thing in approving the massive Hunters Point shipyard environmental report this week rather than giving in to small groups of naysayers who seem bent on battling progress.

The report is the first major step in reaching a 20-year goal of reinvigorating the southeastern part of San Francisco and building the largest residential development

in a generation. The project is expected to bring in billions in revenue to The City and create thousands of construction jobs.

Particular praise goes to board President David Chiu, who coolly presided over a long, difficult hearing that featured the kind of ranting we've come to expect from project opponents who've used threats and bullying tactics to block the best hope for the Hunters Point area since the can-do days of the Navy's presence.



GETTY IMAGES FILE PHOTO

**Singles retreat:** Milpitas was one of the cities listed as a top "rich and single" locale by Money magazine due to its large amount of parkland.

## Single, rich? Avoid Money's best-of list

**T**hose of us in the media that constantly come up with lists — best Bay Area hot spots, worst place to sit at a Giants game — know well that all things with a "top 10" in their title are by their nature controversial.

Yet, they generally include some consensus views or at least are halfway steeped in reality.

But you can drop Money magazine off that list.

The magazine for affluent spenders recently came out with its top cities for the "rich and single" guide, a list that includes Irvine, Rocklin and Milpitas among California's entries — further proof that the publication's editors have never been to most of the places praised.

Rocklin did have some panache years ago when the San Francisco 49ers held summer training camps there, but it's better known as just another town filled with strip malls in a Sacramento regional-planning kind of way.

Irvine, as Money pointed out, does have many tech companies, but I didn't realize that gave a city quality-of-life points. Irvine is a "new town" built with some of the strictest planning limits in California (no working on your car in the driveway, for instance), and as such is one of the most sterile cities around.

It does have a UC campus, but, then, so do Merced and Riverside.

Milpitas was praised for having vast areas of parkland, but what it really has is tons of open space yet to be filled with tract housing. Sounds like a real singles magnet.

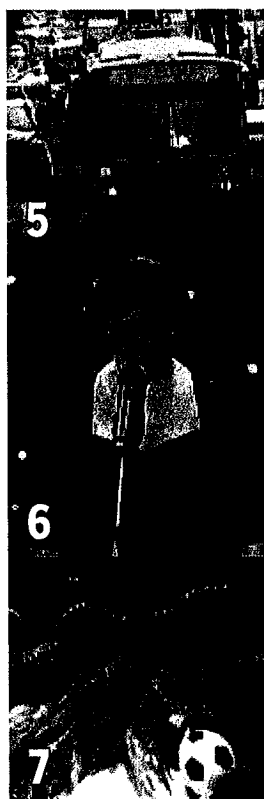


# SUNDAY OPINION

## THE HOT LIST

# 10 brightest ideas of the week

*Cop catches kid-thrower, Facebook protects children in UK, Muni performance getting better, prophetic octopus retires, new hope for Hunters Point and a lost ring is recovered.*



### Good cop

**1** Off-duty cop chases down toddler-thrower

**The details:** After witnessing a man allegedly throw his 2-year-old daughter into oncoming traffic in Oakland, an off-duty cop played good Samaritan by netting the father. After checking on the child, the officer flagged down a nearby car to catch up to 21-year-old John Taylor Jr. of Oakland, who was found scuffling with motorists who had stopped to help. Oakland police arrived on scene and subdued and arrested Taylor. Luckily, the toddler escaped serious injury.

### Protecting kids

**2** Facebook launches a pedophile panic button in United Kingdom

**The details:** Facebook may soon be a safer place for U.K. youngsters. Users of the popular social networking site would be just one click away from reporting sexual predators or cyberbullies with the ClickCEOP application. The app installs a link to the Child Exploitation and Online Protection center onto the user's profile page, giving them immediate access to information on Web safety or to disclose abuse.

### Very funny

**3** Pakistani satirist uses puppets to convey his message

**The details:** Master puppeteer Farooq Qaisar's weekly show is full of satire and caricatures of Pakistan's politics. A recent show had a puppet prime minister serenading a President Barack Obama for money. The latest scandal satirized by the show involves numerous Pakistani parliamentarians with fake university degrees. The government has tried to silence the media from reporting it, but Qaisar, dubbed the Jim Henson of Pakistan by the Muppets creator himself, has so far escaped the clampdown put on the regular media.

### Doggone smart

**4** Labrador retriever honks horn when stuck in car

**The details:** Chocolate Labrador Max isn't one to tolerate uncomfortable and potentially dangerous situations. It was a 90-degree day in eastern Pennsylvania when Max found himself trapped inside a car while his owner had left him to go shopping. Local veterinarian Nancy Soares said this week that when the owner returned to the car, Max was sitting in the driver's seat, repeatedly honking the horn. After a cold drink Max was brought to Soares clinic to make sure he was A-OK.

### Don't miss it

**5** Muni breaks its on-time performance record

**The details:** It's still not the voter-mandated level of 85 percent, but Muni vehicles recorded a 75 percent on-time performance in the third quarter of last fiscal year — the highest mark ever achieved. The data comes from the three-month period covering January through March, and it marks a 2.7 percent increase from the previous quarter, according to new information provided by the San Francisco Municipal Transportation Agency, which operates Muni. Much of the improvement can be attributed to the service changes implemented Dec. 5, according to the SFMTA.

### Big winner

**6** Susan Boyle starts her own singing competition

**The details:** The "Britain's Got Talent" star and internet sensation is now on the hunt to discover some more new talent. The Scottish singer is launching a competition through her website, asking viewers to upload a video of themselves onto her YouTube channel singing "Silent Night." The winner will get a chance to sing with her on her next album.

### Bright light of the week

#### George Steinbrenner

**What:** The owner of the New York Yankees was very worthy of the moniker "The Boss." He died of a heart attack at age 80.

**Why:** He huffed and he puffed and often blew people's houses down in the baseball world. But behind that tough persona was a giving man who was loyal to those who were loyal to him. He hired and fired manager Billy Martin five times, but kept him on the payroll. He also paid off the mortgage of another ex-skipper after he died. That doesn't even start to touch on the philanthropic gestures he made, which can be seen throughout his hometown of Tampa, Fla.



### Lofty retirement

**7** Oracle octopus to end career

**The details:** Paul, the psychic octopus who successfully predicted the outcome of eight consecutive World Cup matches, is planning to step back from the limelight. Oberhausen Sea Life Center in Germany, where the cephalopod calls home, is considering starting a school for octopods "so that Paul has the opportunity to pass on some of his skills to younger cousins before his short but memorable life reaches its natural conclusion." Said spokesman Mark Oakley, "He has been a superstar and deserves a quiet retirement. Paul the octopus is arguably the most famous sea creature there has ever been."

### Never say never

**8** Jackson ranch could become state park

**The details:** California could have the chance to cash in on Michael Jackson fever if a Los Angeles politician's idea gains traction — to turn Neverland into a public park. Assemblyman Mike Davis says the spot "will absolutely be a destination for many who admire music and the performing arts." The cost of upkeep may outstrip the financial benefits, but a visit would surely be a thriller for many still-hearthbroken fans of the King of Pop.

### Full steam ahead

**9** Hunters Point shipyard plan moves forward

**The details:** Supervisors certified the beginning of one of the largest-scale building projects in The City's history when they voted to approve the Hunters Point Naval Shipyard redevelopment. A hotel, marina, performance arena and more than 10,000 homes are on the slate and could bring vitality — and jobs — back to the long-neglected neighborhood. Work on the redevelopment project could begin as soon as next year.

### Gem of a catch

**10** Diver rescues brand-new engagement ring

**The details:** Sara Stocco took off her Tiffany engagement ring to apply sunscreen to her fiancé's back on a boating trip. But when she did, it fell to the bottom of the boat and then bounced into Lake Minnetonka, where friends searched for the \$7,000 ring but came up empty. Enter treasure hunter Denny Geffre, 60, who's been looking for things at the bottom of lakes for years. Stocco and fiancé Adam Segar engaged him, and three days and 14 hours of diving later, he came up with the prize — and a \$750 reward for his work.

## OPINION

## Cleanup efforts are sound

By Michael Cohen  
and Amy Brownell

**T**he Examiner's Friday story about alleged problems with the cleanup of the Hunters Point shipyard is misleading and factually inaccurate. Neither uncertainty nor inconsistency "plagues" the shipyard cleanup.

To the contrary, the cleanup is governed by an incredibly rigorous set of regulatory requirements that lay out a very detailed and organized process of first testing the land, then cleaning it and then testing it again to confirm that cleanup is complete.

Those efforts are overseen by a wide range of federal, state, regional and local environmental watchdogs, including the U.S. Environmental Protection Agency, the California Environmental Protection Agency, the California Department of Public Health, the Bay Area Air Quality Management District, the Regional Water Quality Control Board and the San Francisco Department of Public Health.

In addition, during the past 20 years, these regulatory agencies have overseen more than 20,000 soil samples, 10,000 groundwater samples and countless other studies, making the shipyard one of the best-characterized cleanup sites in the country. As a result, there's a very high level of certainty regarding the current and future state of the shipyard.

Moreover, the regulatory standards being applied at the shipyard are much more strict than at comparable Superfund sites across the country being developed for a similar mix of uses.

For all the residential and commercial or industrial areas of the shipyard's 500 acres, the only low-level materials that will remain in the ground could safely be touched, breathed and even eaten every day for 30 years. That's the standard the U.S. EPA uses.

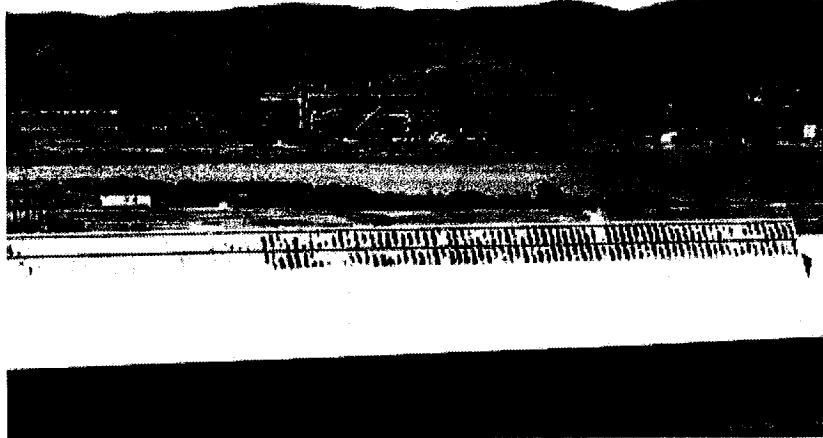
But as an added layer of protection, the regulatory agencies are further requiring The City to utilize the classic "brownfields" strategy of having the new buildings, roads and parks act as an added

barrier against those very low-level materials.

For more than 20 years, hundreds of artists have safely worked every day at the shipyard next to active cleanup sites based on detailed studies by the regulatory agencies confirming that it's safe for them to do so. These same studies have repeatedly and conclusively supported that phased development is safe as well. Not a shred of credible scientific evidence has been presented to the contrary.

Today, more \$700 million has been spent on the testing and cleanup of the shipyard. The cleanup is progressing very well and is on schedule, and vast areas of the shipyard are fully clean and will be soon be reborn as parks, affordable housing and a major job center that will serve the Bayview-Hunters Point community and the entire city of San Francisco for decades to come.

*Michael Cohen is director of the Mayor's Office of Workforce and Economic Development. Amy Brownell is an environmental engineer at the San Francisco Department of Public Health.*



EXAMINER FILE PHOTO

## In this period of consequences, the time for evasion has passed

By William Kristol

**'A** period of consequences" is a phrase taken from a 1936 Winston Churchill speech in the House of Commons when he warned, "The era of procrastination, of half-measures, of soothing and baffling expedients, of delays is coming to its close. In its place we are entering a period of consequences."

Looking at the world in the summer of 2010, it's clear that we have entered a period of consequences on many fronts.

We've been living beyond our means and have failed to come to grips with the problem. The financial crisis has been followed by an irresponsible "stimulus" package that has meant the assumption of more debt, and a financial regulations bill that doesn't address our core financial problems. A European sovereign debt crisis is bearing down on us as the global economic recovery falters, and our fiscal and monetary policy instruments seem exhausted. Now, we are entering a period of consequences that will require an end to procrastination, and that will necessitate both difficult short-term choices and a fundamental rethinking of a host of government programs and the very structure of our fiscal and monetary policies.

We've allowed — nay, in many cases encouraged — our government to become unlimited in its goals, bloated in its size and arbitrary in its action. In this respect, Obamacare is more the culmination of decades of policymaking than a deviation. We've indulged in the fatal conceit that we can ask the state to attend to all our cares and invite the government to correct all our perceived problems, without considering either the counterproductive practical consequences, the enfeebling of the private sector, or the undermining of our capacity for self-government. Now, we are entering a period of

consequences. Restoring the idea and practices of limited, energetic self-government will require more than half-measures.

We've hoped that the world would remain reasonably peaceful, friendly and civilized while skimping on our defense budgets and our military forces. More recently, we've signaled weakness to friends and enemies alike. We've pretended that happy talk and "soft power" would suffice in dealing with the hard truths of dictatorships, terror, fanaticism and weapons of mass destruction. Now, we are entering a period of consequences, which will require rejecting soothing and baffling expedients and instead demanding strength and conviction on behalf of freedom and civilization.

We've allowed our universities to become politically correct, our media to become juvenile and our entertainments to become ever-more adolescent — and then we wonder why we're baffled by the difficulties we have as a society in being candid, serious and grown-up. Now, we are entering a period of consequences in which delaying the decay is no longer enough, and in which the counter-cultural and reconstructive cultural efforts that are under way will not only have to be intensified, but will have to make a difference quickly.

The British economist and businessman Josiah Charles Stamp is said to have remarked, "It is easy to dodge our responsibilities, but we cannot dodge the consequences of dodging our responsibilities." Stamp, along with his wife and son, was killed in London in 1941 during the Blitz. Those deaths, and tens of millions of others, were the result of decent people seeking for too long to dodge their responsibilities and to evade the consequences.

*William Kristol is co-editor of The Weekly Standard, where this piece originally appeared.*

## SOUND BITES

## Welcome, tea party Congress members

*"This caucus will espouse the timeless principles of our founding principles that all members of Congress have sworn to uphold."*

— Rep. Michele Bachmann, R-Minn., announcing her formation of a congressionally sanctioned Tea Party Caucus.

## Seriously, the first dog gets its own plane?

*"Arriving in a small jet before the Obamas was the first dog, Bo, and the president's personal aide Reggie Love."*

— Rebekah Metzler of the (Waterville, Maine) Morning Sentinel

## Bombshell spy seeks payoff

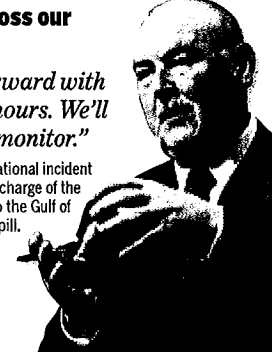
*"The money cannot come directly to her, so she has suggested it goes to a friend's Swiss account."*

— An anonymous source involved in sexy Russian spy Anna Chapman's heated media negotiations. Chapman's plea bargain said she can't profit from her story.

## And we'll cross our fingers, too

*"We'll go forward with another 24 hours. We'll continue to monitor."*

— Thad Allen, national incident commander in charge of the U.S. response to the Gulf of Mexico oil spill.



ALL: AP FILE PHOTOS

# SFBG

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## Redevelopment requires "duty of loyalty" from Arc Ecology

By sarah

Created 07/21/2010 - 2:23pm



### Unlocking the Community Window's door

Arc Ecology's executive director Saul Bloom (right) unlocks door of Arc's Third Street office for D.10 candidate DeWitt Lacy

As a longtime member of the Mayor's Hunters Point Shipyard [Citizens Advisory Committee](#) <sup>[1]</sup> (CAC), Scott Madison took exception to a "duty of loyalty" clause in [Arc Ecology](#) <sup>[2]</sup>'s most recent contract with the [Redevelopment Agency](#) <sup>[3]</sup>.

This new requirement in Arc's contract came up for discussion during the CAC's July 12 meeting, Madison said. The rest of CAC did not rise up in support of his concerns, Madison adds. But he is convinced the requirement will harm the community that surrounds the 770-acre area that the city and Lennar want to develop with their massive [Candlestick-Shipyard](#) <sup>[4]</sup> [redevelopment plan](#) <sup>[5]</sup>.

The Board of Supervisors will consider that plan at their July 27 meeting, along with suggestions that Arc and the Sierra Club have been making for years. These suggestions include strengthening the terms governing the transfer of Parcel E-2, the most polluted shipyard site, and removing what Arc and the Sierra Club believe is an unnecessary bridge over the environmentally sensitive Yosemite Slough.

Arc has been monitoring the environmental impacts of the shipyard since 1984, and has provided neighborhood groups with information and technical support related to cleanup and redevelopment since 1986. And more recently, Arc Ecology opened a "community window on the shipyard cleanup" on Third Street, which is also accessible online, to provide information and resources for more meaningful community involvement in the cleanup.

Arc hosts environmental education discussions and community workshops and submits written comments to the Navy about the cleanup and to appropriate agencies on related shipyard redevelopment and reuse plans.

"We are working with the BVHP community to ensure that the transfer, redevelopment, and reuse are to the maximum benefit of the neighboring community," Arc's website states.

But in the past few years, as Lennar's political Candlestick-Shipyard juggernaut has been gathering speed, Arc has ruffled feathers in the Mayor's Office by developing Alternatives For Study <sup>[6]</sup>, a document that explores detailed alternatives to the current Candlestick-Shipyard plan.

None of ARC's alternatives are opposed to the development, but they all suggest ways to improve it, including an option that would not involve building a bridge over the slough, or a stadium on the shipyard, and would prevent the taking of 23 acres of state park land which Lennar wants so it can build luxury waterfront condos in the middle of the current Candlestick Point State Recreation Area, a plan that would be unthinkable if it was proposed for Crissy Field.

But the city, and in particular Michael Cohen, Mayor Gavin Newsom's top economic advisor, view these alternatives, as signs of disloyalty, as they seek to rush Lennar's massive 770-acre redevelopment plan over the finishing line, while arguing that any further amendments will make the plan more difficult for Lennar to shop around to investors, especially in light of the depressed economy.

The growing coziness between the city and the developer was put on full public display last week, when Sup. David Campos asked the project's proponents to step forward at the Board's July 13 hearing on the project's EIR.

As Lennar Urban's Kofi Bonner began to rise from his seat in the public seating area, Cohen, who had just finished answering Campos' questions about the bridge and the project's financing liabilities from the city's bullpen in the Board's chambers, raced over to the podium before Bonner had a chance to speak.

This uneasy closeness between city and developer, along with Arc's extensive background in shipyard related matters, are why Madison believes the city's residents are best served when Arc can express its opinions freely, even if that involves critiquing plans that the city seems to have grown increasingly defensive about, ever since it entered into a partnership with the Florida-based Lennar.

"Yes, it's true that the city is paying for this contract with Arc, but it seems to me that this particular contractor's responsibility should be primarily to the Citizen's Advisory Committee, and not the city," Madison said. "What if Arc reaches a conclusion that is odd with the developer, city agencies and other consultants? Would Arc be prohibited from making it public?"

Madison says the city has claimed that Arc would not be prohibited from such activities, and that the contract contains standard language. But he also adds that certain parties who are boosters for the city's redevelopment plan object to what Arc and Bloom are doing in terms of raising valid science-based concerns.

"At the meeting, Al Norman said he hopes the Redevelopment Agency handcuffs Saul, not just by the hands but by the ankles," Madison claimed.

And Bloom said that after his group made a video of him walking around wearing a "Can I buy your park?" <sup>[7]</sup> billboard to illustrate what Lennar's plan will do to the only state park in San Francisco, he was told that if Willie Brown was still mayor, Arc would have lost its contract, and all department heads who had been supportive of awarding it to Arc, would have been fired, too.

Bloom notes that under Mayor Brown, he was awarded several contracts and helped author Prop. P, the measure that voters approved in 2000, which called upon the Navy to clean up the shipyard to the highest levels practical.

"Even Willie understood the need for balance," Bloom said.

Bloom protested the city's "duty of loyalty" requirement at the CAC's July 12 meeting, but has apparently decided that the clause isn't an insurmountable obstacle, because he has apparently since signed the contract. UPDATE: I just spoke to Bloom who told me that he **has not yet signed the contract** and is still working to get Redevelopment to see the problem with this requirement.

"At the CAC meeting, the committee endorsed the proposal to give us the contract," Bloom explained. "But it's up to the Redevelopment Commission to approve the contract, something they are set to consider at their September 7 meeting. We are making the argument that they need to think about the contract in broader terms."

And Madison notes that it's common sense that if you want a truly independent voice advising Redevelopment on the shipyard cleanup plan, then that voice should be allowed to be genuinely independent.

"The fact that the city is paying the bill for the contract shouldn't require an organization to sign an extraordinary Duty of Loyalty, which conflicts with its true loyalty to the surrounding community," Madison said.

The Guardian's recent immediate disclosure request to Redevelopment should reveal the exact terms of Arc's Duty of Loyalty requirement. And Matt Dorsey, spokesperson for the City Attorney's Office says such clauses are rare.

"We are unaware of any confidentiality requirements being made, except in very rare circumstances, such as contracts related to the airport where there may be terrorist concerns," Dorsey said. Stay tuned.

Land Use Sarah Phelan

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**Source URL:** <http://www.sfbg.com/politics/2010/07/21/redevelopment-requires-%E2%80%9Cduty-loyalty%E2%80%9Darc-ecology>

**Links:**

- [1] <http://hpscac.com/>
- [2] <http://www.arcecolony.org/HuntersPoint.shtml>
- [3] <http://www.sfredevelopment.org/index.aspx?page=57>
- [4] <http://www.sfbg.com/2010/06/01/political-juggernaut>
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## Supervisors get final crack at shipyard development plan

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San Francisco supervisors Tuesday will get one final chance to weigh in on the long-awaited redevelopment plan for the Hunters Point Naval Shipyard.

While the board voted 8-3 two weeks back to approve the environmental impact report for the huge, 10,500-unit development, the supervisors still have to OK the specifics of the project and are expected to come up with a number of amendments to the current plan.

But that doesn't bother Supervisor Sophie Maxwell, who has fought for more than a decade for the project, which she is convinced will jumpstart economic development in her Bayview-area district.

"Things are looking pretty good," she said this afternoon. Most of the proposed amendments "are just peripheral things that already are part of the agreement."

Among the anticipated amendments are some designed to tighten the local job agreements already reached with Lennar, the project's developer, and to ensure that Lennar -- or any successor company -- actually provides the various benefits promised for the community surrounding the shipyard.

While a number of supervisors and environmentalists would like to block plans for a bridge across Yosemite Slough, there appear to be the needed six votes in favor of the span over the bay wetlands.

If the shipyard plan gets its final approval, the redevelopment effort instantly changes from a political fight to a legal and economic battle.

Once the plan gets the required six votes, "we have a fully approved project," said Michael Cohen, head of the mayor's Office of Economic and Workplace Development. "We expect that we'll be sued, but we have very good lawyers."

The challenge then will be for Lennar to come up with the money needed to get construction rolling, sometime after the Navy finishes its toxic cleanup and turns the first two parcels of the shipyard project over to the city next summer.

Posted By: John Wildermuth (Email) | July 26 2010 at 05:30 PM

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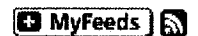
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## The bridge isn't the only problem with Lennar's plan

By *sarah*

Created 07/26/2010 - 5:55pm

I'm glad to see the New York Times circle back to the Candlestick-Shipyards development with an article that was a [tad more critical](#) <sup>[1]</sup> than their [previous piece](#) <sup>[2]</sup>.

But while I enjoyed NYT's joke about how the proposed bridge over the Yosemite Slough "has become a 950-foot-long chicken bone that keeps getting stuck in San Francisco politicians' throats," I'm afraid the Board is in greater danger of choking on the bones of [red](#) <sup>[3]</sup> [herrings](#) <sup>[4]</sup> that they have been fed about this project, along with last week's [bombshell](#) <sup>[5]</sup> that the Board won't be able to amend Lennar's plan, after all, when it votes July 27 on this massive proposal.

D. 10 candidate Tony Kelly says if that bombshell turns out to be true, it'll be another example of what he calls, "The bait and switch and switch," on the deal.

"I'm worried that the Board is getting advice that is less about a case of not being able to vote, and more a case of, if you vote, you could open up the city to liability," Kelly said.

"Back in 2008, folks were told, just vote for Prop. G because it's just a concept and we'll have a robust conversation about the plan itself, but they've been running away from that promise ever since," Kelly explained. "And during the EIR hearings, we were told that folks were simply approving the environmental impact report, not the plan itself."

Kelly's critiques of Lennar's plan and the process by which it has been winning final approvals helped him win former Board President [Matt Gonzalez's endorsement](#) <sup>[6]</sup> last week in the pivotal race to replace term-out D. 10 Sup. Sophie Maxwell.

But Kelly worries about the fallout that the next D. 10 supervisor will be left to mop up, if the Board goes ahead and approves Lennar's plan, as is.

"What I'd dread to see happen is that this plan get bullied through on an up and down vote, and then a fifth, or even a tenth of people's concerns prove to be true, and the next D. 10 supervisor spends the next 4-8 years apologizing to the people of the Bayview, because they won't be able to do anything else for the area, and this plan keeps lumbering along and doesn't even work," Kelly explained.

He says he wants to know who can amend the plan, if it's not the Board and when.

"My concern is that after the July 27 vote, the city and Lennar will never have to come before the Board again," Kelly said, pointing to the uncritical endorsement of the project EIR that the Planning and Redevelopment Commissions, the lead agencies on the plan, made June 3, and who would likely be tasked with any additional studies and findings.

Sup. Ross Mirkarimi confirmed today that the Board has been told that it has limited reach because of Redevelopment law, which supercedes municipal law."

"But, nonetheless, I'm going to try to make some amendments," Mirkarimi said.

He noted that the five amendments that Board President David Chiu introduced July 12 during a Land Use Committee hearing were "very benign."

"They mostly restated what was already in the project agreement or project EIR," Mirkarimi said. "So, they don't amend much, because they are statements of what has already been evaluated or pre-agreed to by Lennar and the city. And they are very benign because they do not require any changes to the plan."

Mirkarimi observes that the current process by which the city is trying to push this deal through is designed to lock the Board out.

"There are larger questions in play here about our relationship with the Redevelopment Agency and redevelopment law," Mirkarimi continued. He notes that San Francisco is one of only a few counties in California where the Board is not the same entity as the Redevelopment Agency.

"It's long overdue that we return to the idea of having the Board have authority over the Redevelopment Agency, it's been a problem for 40 years," Mirkarimi said, referring to Redevelopment's disastrous handling of the Fillmore, which resulted in the massive and mostly permanent displacement of the Western Addition's African American community—a negative consequence that many fear will be repeated by the plan for Candlestick-Hunters Point.

"There is a real capitalization on a starving population which is desirous of and at times desperate for positive changes and for jobs and housing, which is understandable," Mirkarimi continued. "But absent of any alternative, it's logical that this plan would move forward."

In an effort to improve the plan, Mirkarimi says he will try to introduce a range of amendments at the Board's July 27 meeting.

"These include an attempt to make sure that whatever changes the Board makes are indeed enforceable," he said. "And I am not satisfied with the discussion on the bridge, and how the gate has been left open on a bridge of any kind."

Mirkarimi notes that there has been a lot of fanfare surrounding a community benefits agreement that various community-based organizations, labor and the project proponents entered into, in spring 2008.

"But I think they can do better, especially in reaching out to a community that has a high ex-offender population, and connecting to other disadvantaged communities throughout the city," Mirkarimi said.

He also wants to ensure that if public power is not implemented, or fails, then Community Choice Aggregation program would automatically take over.

Mirkarimi is further concerned that there is nothing in the current plan that defines the percentages of housing units offered for rental and for home ownership.

"We are proposing to build 10,500 units but we have no idea what percentage is rental," he said, noting that he also has concerns about air quality, air monitoring and parcels of land that have not yet been cleaned up to residential standards.

"Parcel E-2 is the most famous, but it's not the only one," he said. "The bridge and Parcel E-2 have become major distractions in that they have sucked the oxygen out of other areas of these gargantuan project."

So, is it true that elected officials on the Board can't amend a plan sent to them by the Redevelopment Agency, whose commissioners are all political appointees of the mayor?

"It's a yes or no vote, if you will," a deputy City Attorney told the Guardian, on background, noting that the Board could tell Redevelopment that it doesn't like the plan and wants the Agency to make some changes and bring it some amendments.

"Ultimately, the Board has the final say, but it has to have gone through the Redevelopment process and its PAC (project area committee) and have seen a plan that has been referred to it by the Planning Commission," the deputy city attorney continued. "So, they could communicate their dissatisfaction and the agency would have to take their view into account. It's not that the Board has no authority, but it can't decide unilaterally."

The City Attorney's Office also confirmed that under Redevelopment Law, local jurisdictions can decide how to implement redevelopment plans.

"In a number of jurisdictions, the city council has made itself a Redevelopment entity, just as our Board is also the Transportation Authority in San Francisco," the deputy said. "And if the same body proposes the plan, it probably will be satisfied."

The City Attorney's office noted that if agencies that regulate permits to fill the Bay, as is required to build a bridge over

With the Board's July 27 vote around the corner, D. 10 candidate Tony Kelly says he has a bunch of concerns that include, but are not limited to the bridge, starting with the projects financing mechanisms.

Kelly wants the city to explain to the Board how much tax increment financing money will be left for the Bayview, now that the area's debt ceiling has been tripled.

Kelly would also like to see the Board request an audit of Lennar's record on Parcel A. As Kelly points out, the Navy conveyed Parcel to the city in 2004, and the city gave Lennar the green light to develop 1,600 mostly luxury condos on that parcel, in 2006.

It would be helpful if the City would also brief the Board as to who it believes will be investing in the project, including the investment companies' names, their board of directors, and whether these companies are based in the US. Rumors are swirling that some project proponents have entered into side-deals that involve limited liability companies that are selling Lennar's proposed condos to folks in China, and that a \$1 million investment in a condo could translate into a work permit for the condo owner or occupant.

“They rely once again on promises that won’t show up,” Kelly said, pointing to a recent report that emerged from the Controller’s Office <sup>181</sup>.

Arc Ecology's Saul Bloom notes that the Controller used averaged figures in that report, an approach that neatly obscures the fact that many of the project's alleged and benefits-- will not be created or felt for years. Bloom for his part is hoping the Board can introduce a maritime uses amendment. This would allow relatively unskilled jobs to be created at the shipyard in short order, compared to vague promises of building a green tech office park there, some day.

Last week, Mayor Gavin Newsom's top economic advisor Michael Cohen suggested that plan amendments would delay project construction.

But Cohen was quick to add that, “702 acres of waterfront land in San Francisco is an irreplaceable asset. It’s not a question of if—but when—it gets developed.”

Others are less sure that Cohen's much promoted vision will ever translate into reality.

So, here's hoping the Board will grill Cohen and city staff over the financial details, including the internal rate of return (IRR) that Lennar is demanding, and what will happen to promised community benefits, if the IRR doesn't pencil out. D. 10 candidates DeWitt Lacy, Chris Jackson and Tony Kelly have suggested that some form of liquidated damages are needed, but if the City believes these are unnecessary, it should explain why.

And then there are questions about the impact on air quality of the traffic related to an additional 24,500 residents and 10,000 workers into the city's southeast.

Personally, I was fascinated by an April 2010 report from the Redevelopment Agency in which the agency discussed the challenges of driving piles through contaminated soil, which is what could happen if a bridge is built over the Yosemite

But last week, in the wake of Santa Clara's vote in favor of a new stadium for the 49ers near Great America, the city began arguing that the bridge would make the project more attractive to financiers, because employers want to get their employees quickly in and out.

So, let's flesh out the list of potential employers, so the Board can determine if design decisions are being made in the interest of the local community or out-of-state businesses.

Today, the Sierra Club, the Golden Gate Audubon Society, the California Native Plant Society and San Francisco Tomorrow released a report that asserts that the Candlestick Point-Hunters Point Shipyard EIR “misrepresents the need for a bridge.”

The letter argues that a regression model result found in the Transportation Study Appendix F of the Candlestick Point-Hunters Point Phase 11 EIR provides “no statistically significant evidence to support the claim that a 5 minute increase in transit travel time would lead to a 15 percent decrease in transit ridership, or, indeed, to any decrease in ridership.”

"When the analysis [presented in the Sierra Club's letter] is combined with previous analyses by LSA Associates (which estimate the increase in travel time would be approximately 2 minutes, rather than the 5 minutes in the final EIR) and other available information, one must reach the conclusion that the FEIR misrepresents the effect on travel time and ridership that would result from a route around Yosemite Slough. Overall, it poses further questions about the need for a bridge over San Francisco's largest wetland restoration project."

It's a good idea for the Board to require hearings before E-2 is transferred to the city. But does this mean the Board will be able to direct the Navy, when it's time to decide whether to cap or excavate the contamination in that parcel? The answer appears to be no. All the Board can do is to reject the Navy's proposed solution.

The good news is that at this point, the project still doesn't belong to the Board.

"How can the city say nothing will be built for years, because we have promised so much, when they say out of the other side

of their mouth, that the only way that we can make these promises to the community, is if the community supports the plan?" Kelly asks. "On what planet do we think this makes sense? I think we are moving out of the solar system with every passing week."

There's no crime in members of the Board admitting tomorrow that they have not read the entire plan and don't understand all the details. As the folks in Alameda humbly admitted last week, when they kicked out developer SunCal <sup>[9]</sup>, it took them years to understand what was being proposed—including the fact that the project might leave their city in the hole, financially.

But it would be a crime for the San Francisco Board of Supervisors to vote yes on this massive proposal without first having done that homework. Yes, I've heard supervisors say in the past they are deferring to Sup. Maxwell, since the project lies in her district. But Maxwell is termed out, and the project will impact all of the city, especially in terms of its ethnic and economic diversity, in future. So, as we've said, buyer beware <sup>[10]</sup>!

Land Use Sarah Phelan

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**Source URL:** <http://www.sfbg.com/politics/2010/07/26/bridge-isn%E2%80%99t-only-problem-lennar%E2%80%99s-plan>

**Links:**

- [1] <http://www.baycitizen.org/development/story/even-abridged-span-over-wetlands-meets/>
- [2] <http://www.nytimes.com/2010/04/30/us/30slennar.html>
- [3] <http://www.sfbg.com/2010/07/20/deal-time>
- [4] <http://www.sfbg.com/politics/2010/07/14/board-accepts-eir-vows-amend-candlestick-shipyard-plan>
- [5] <http://www.sfbg.com/politics/2010/07/23/rumors-fly-board-cant-amend-lennar-deal-after-all>
- [6] <http://www.fogcityjournal.com/wordpress/2010/07/gonzalez-endorses-tony-kelly-for-d10-supervisor/>
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- [8] <http://co.sfgov.org/webreports/details.aspx?id=1153>
- [9] <http://www.sfbg.com/politics/2010/07/21/sunset-suncal-alameda>
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## Lennar's plan illustrates San Francisco's redevelopment problem

By *sarah*

Created 07/26/2010 - 7:06pm

Today, the Board of Supervisors confirmed that though they are elected officials, they have been told that they can't do anything except second a massive redevelopment plan for the Bayview that was developed, first by Mayor Willie Brown and then by Mayor Gavin Newsom's administrations. in cohorts with Lennar, an out-of-state private developer, and approved by a bunch of Brown and Newsom's political appointees.

"At this point, a deal has been done and the Board has been neutralized," Arc Ecology's Saul Bloom said today. "It says a great deal about the process."

Bloom spent today visiting the supervisors to explain the problems with the current Lennar plan, including a bridge that is proposed to be built across the environmentally sensitive Yosemite Slough.

"Sup. Ross Mirkarimi said the bridge plan reminds him of the exact same through way that was argued for during the Fillmore plan," Bloom said. "That would never happen now, at least not overtly,

Bloom added that shopping the no-bridge alternative around to the Board today wasn't exactly uplifting.

"The sense we got was that we were dragging a dead body around."

So far, Board President David Chiu has taken major heat by deciding to suggest a narrower bridge rather than no bridge.

But at least he took a stand. That is more than can be said for those colleagues of his on the Board that sat silently through the July 13/14 proceedings, presumably making sure they can be reelected with the help of deep-pocketed developers.

Here's hoping that this latest redevelopment charade convinces the progressives on the Board to reform the Redevelopment Agency, so that private developers and political appointees can no longer trump the legitimate concerns of the residents of San Francisco and their duly elected supervisors

And no matter what people in the Bayview have been led to believe, the sad truth is that the promised jobs and housing aren't likely to happen any time soon.

"The developer is not going to be running hog wild out there," Bloom observed. "Part of the sad trick is that the only rush was for them to have control over the property."

Bloom predicts that the plan will ultimately be headed to court.

"They will have lawsuits and elections to contend with," he said. "The message that the environmental community takes away from all this is that it doesn't pay to play well. No matter how much you spend to try and ensure that litigation is not the only way to obtain the desired outcome, ultimately the message that comes back from the city and the developer is, 'Sue us!' That brings out the worst political conduct not the most appropriate."

The good news? Lennar's Treasure Island's EIR is on the street, and environmental justice advocates should be fully versed in reading such hefty tomes and figuring out where the body is buried. The bad news? Redevelopment and the Mayor's Office still control the process.

**\*\*\* STATEMENT \*\*\* MAYOR GAVIN NEWSOM HAILS APPROVAL OF  
HUNTERS POINTS SHIPYARD REDEVELOPMENT PROJECT**

**Francis Tsang** to: Francis Tsang

07/27/2010 08:28 PM

Bcc: Gia Casteel-Brown

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**FOR IMMEDIATE RELEASE:**

Tuesday, July 27, 2010

Contact: Mayor's Office of Communications,  
415-554-6131

**\*\*\* STATEMENT \*\*\***

**MAYOR GAVIN NEWSOM HAILS APPROVAL OF  
HUNTERS POINTS SHIPYARD - CANDLESTICK POINT  
REDEVELOPMENT PROJECT**

**San Francisco, CA** – Mayor Gavin Newsom today issued the following statement following the Board of Supervisors' approval of the Hunters Point Shipyard Phase II - Candlestick Point Redevelopment project:

"This is a proud and historic day for all San Francisco and for all who have worked for years to achieve this milestone," said Mayor Newsom. "After more than a decade of exhaustive planning, extensive cleanup and hundreds of public hearings, together we have secured a critical engine for our City's economic future and embraced a new vision of jobs, housing and hope for the Bayview-Hunters Point community. Now we can truly begin the work of transforming an environmental blight into a new center of thousands of permanent and construction jobs, green technology investment, affordable housing and parks for our City. I want to recognize Supervisor Sophie Maxwell, Southeast community leaders and Michael Cohen and the staff of the Mayor's Office of Economic and Workforce Development for their incredible efforts and tireless commitment that brought us to this achievement."

Earlier this month, the City Controller released an economic impact report on the proposed redevelopment of the redevelopment project. Among the many benefits, the report found that at buildout, the project is expected to increase the City's property tax base by approximately \$11 billion, contribute \$6.4 to \$6.6 billion annually to San Francisco's Gross City Product, and create up to 12,000 new direct jobs and 13,000 new indirect or "induced" jobs. In addition, more than 1,000 construction jobs per year will be created over the full buildout of the project.

The Hunters Point Shipyard redevelopment comprises 700 acres of waterfront land along San Francisco's southeastern shores. The development project is designed to provide 10,500 residential units—32% of which will be offered at below-market rates—more than 300 acres of parks and open space, including a new "Crissy Field" of the Southeast, approximately 700,000 square feet of destination retail and entertainment space and over 2.5 million square feet of commercial space oriented around a "green" science and technology campus. The project can also accommodate an optional site for a world-class football stadium for the San Francisco 49ers.